

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

This document was created from the closed caption transcript of the February 22, 2022 City Council Regular meeting and Work Study session and has not been checked for completeness or accuracy of content.

A copy of the agenda for this meeting, including a summary of the action taken on each agenda item, is available online at:

<https://www.scottsdaleaz.gov/Assets/ScottsdaleAZ/Council/current-agendas-minutes/2022-agendas/02-22-22-regular-and-work-study-agenda.pdf>

An unedited digital video recording of the meeting, which can be used in conjunction with the transcript, is available online at:

<https://www.scottsdaleaz.gov/scottsdale-video-network/council-video-archives/2022-archives>

For ease of reference, included throughout the transcript are bracketed "time stamps" [Time: 00:00:00] that correspond to digital video recording time.

For more information about this transcript, please contact the City Clerk's Office at 480-312-2411.

CALL TO ORDER

[Time: 00:00:02]

Mayor Ortega: Hello, everyone. I call the February 22nd city council regular meeting to order. City clerk, Ben Lane, please conduct the roll call.

ROLL CALL

[Time: 00:00:15]

Clerk Lane: Thank you, Mayor. Mayor David Ortega.

Mayor Ortega: Present.

Clerk Ben Lane: Vice Mayor Tammy Caputi.

Vice Mayor Caputi: Here.

Clerk Ben Lane: Councilmembers Tom Durham.

Councilmember Durham: Here.

FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT

Clerk Ben Lane: Betty Janik.

Councilmember Janik: Here.

Clerk Ben Lane: Kathy Littlefield.

Councilmember Littlefield: Here.

Clerk Ben Lane: Linda Milhaven.

Councilmember Milhaven: Here.

Clerk Ben Lane: Solange Whitehead.

Councilmember Whitehead: Here.

Clerk Ben Lane: City Manager Jim Thompson.

Jim Thompson: Here.

Clerk Ben Lane: City Attorney Sherry Scott.

Sherry Scott: Here.

Clerk Ben Lane: City Treasurer Sonia Andrews.

Sonia Andrews: Here.

Clerk Ben Lane: City Auditor Sharron Walker.

Sharron Walker: Here.

Clerk Ben Lane: And the Clerk is present. Thank you, Mayor.

[Time: 00:00:44]

Mayor Ortega: Thank you very much. We have Scottsdale Police Officers Anthony Wells and Rob Marino, as well as firefighter Tyler Folio. If anyone needs assistance. Let's stand. I will lead us in the Pledge of Allegiance.

I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands: One nation under God, indivisible, with liberty and justice for all.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Well, Sunday night, a group of criminals put lives at risk by stopping traffic at 68th street and Camelback, spinning out of control, harassing innocent bystanders and shooting at a vehicle, hitting a nearby home. This dangerous, violent behavior is not tolerated in Scottsdale. And we will do everything in our power to bring these perpetrators to justice. I have discussed this with the city manager and he and the chief of police are already working on providing me and the city council a report on current countermeasures and recommendations on increasing criminal penalties for nip caught threatening the safety -- for anyone caught threatening the safety of Scottsdale in this way.

In our regular calendar of events, we have the Scottsdale Arabian horse show, which is currently happening at WestWorld. The show will go on through February 27th, and there's still plenty of excellent seats and events remaining. I know we're all ready to start spring training, and we want it back in the valley among the 15 cities. Currently, the start date was officially delayed until March 5th.

Scottsdale is anxiously awaiting the return of spring training, and everyone is hoping this lockdown ends so we can hear the reminiscent phrase, "let's play ball" again, let's get on with the training also the Scottsdale Arabian horse show is currently happening at WestWorld. It was a duplicate.

[Chuckles]

Next, we will have two presentations. One is our outstanding police department and the Scottsdale Police Department, the Arizona law enforcement association accreditation program award. Can we please have you come forward?

[Time: 00:03:56]

Pete Wingert: Good evening, Mr. Mayor, members of the council.

Mayor Ortega: Please tell us about the accreditation and how Scottsdale P.D. goes over and beyond what we normally are required at the state enforcement level.

Pete Wingert: Thanks, mayor Ortega. My name is Pete Wingert. I'm the Paradise Valley Chief of Police. I'm here representing Richard Jessup, the President of the Arizona Association of Chiefs of Police this year, and I'm here as a representative of the Arizona Chiefs of Police.

I want to brag on your chief of police for just a little bit if you will humor me on that. The board voted Chief Jeff Walther to his extraordinarily tangible results that he has realized in over -- just over a year's time as Scottsdale's chief of police. Chief Walther exemplified the best in leadership and service above self. In the time that he has served as chief, he has demonstrated the tenets of the AACOP award, which are extraordinary commitment to the AACOP, extraordinary commitment to the community, and incredible accomplishments as a law enforcement administrator.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Chief Walther's nomination include ringing endorsements from community members, local, county and state law enforcement leaders and his own employee groups. I'm just going to give you a couple of highlights. For service to the association, which is one of the measurements of the AACOP chief of the year, Chief Walther worked collaboratively with private entities and various other stakeholders to enhance the cooperation and the coordination between law enforcement and the public in Arizona.

He genuinely understands the critical importance of this engagement and never underestimates the significance of committed leadership and dedication to this purpose. Some of the examples include he hosted and organized Scottsdale's participation in the Herozona's Bridge Forum, young voices leading the change event.

He was asked to serve on the boys and girls club of greater Scottsdale board of governors, where he became active and a contributing member. He has participated in numerous community outreach events, podcasts, panels, roundtables to facilitate critical discussions involving police and community relationships and collaboration. These included with organizations such as NAACP, Arizona Peace Officers standards and trainings, the Islamic center of northeast valley, Scott and many others.

He has dedicated -- he's demonstrated a true commitment to AACOP and the Arizona chiefs and public safety leaders through that collaboration. As the recognition for his service to the community, Chief Walther epitomizes the very best in leadership regarding the service to his community. He understands the importance of this relationship and the public -- and the police department's holistic role in society. He's not only made a major impact on the community through innovation, innovative programs in the time he has been chief, but he's also worked tirelessly to build and foster important relationships.

[Time: 00:07:57]

Some of the examples of this is his commitment to serving the Scottsdale community, the alliance of Christian leaders presented him with an award recognizing his extraordinary efforts. He's increased the Scottsdale police community engagement and employed enhanced community oversight by inviting and increasing community member representation on multiple internal review boards, additionally created the Scottsdale community police engagement section to foster relationships.

He's created Scottsdale's first crisis response team to better serve those experiencing crisis. Under his leadership, major improvements were made to the Scottsdale family advocacy center through grant funding. In addition, in his effort to keeping the community safe, under his leadership, the Scottsdale Police Department partnered with the drug enforcement administration, and made Arizona's largest fentanyl seizure in history.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

He's significantly enhanced the communication with the community in real-time, using contemporary methods, including the chief's podcast called "Shop Talk." And as a law enforcement administrator in the short term that he's been the chief of police, he's also pulled the Scottsdale Police Department forward in recognition and has become the first municipal agency -- the first municipal police agency in Arizona to not only have CALEA accreditation and the Arizona Law Enforcement Accreditation Program.

And he created Scottsdale Police Department's first Realtime crime center. Although there's a ton more I could say about him, I know that you are -- I want to be respectful of your time tonight and that is a good representation of his incredible accomplishments and just this short year. So on behalf of the Arizona association of chiefs of police, it's my hopper to recognize -- honoring my neighboring police chief as the police chief of the year. Chief Walther, thank you very much.

Mayor Ortega: Thank you, Chief.

[Time: 00:10:31]

Police Chief Jeff Walther: I'm going to go against normally what I do is I talk a lot and my people say I talk a lot, but I'm not going to do that. I just want to thank Chief Wingert for coming here and presenting to me. I want to thank you. I want to thank council. I want to thank our City Manager Jim Thompson for calling me and calling me to come back to this wonderful position and this city and police department.

It's really been one of the highlights of my life and I have -- you will see my entire family there well, minus my daughter and son-in-law who have been on this law enforcement journey with me, since the beginning. My daughter, the youngest was actually born when I was in the police academy. And so I always like to have them here along with my grandkids.

As you well know Scottsdale is an exceptional place and we should expect no different from the Scottsdale Police Department. And so while there's a lot of talk nationally about what law enforcement looks like in the national narrative on law enforcement. Often we tell people when you talk about police reform or reimagining police reform, things discussed often in the country, the first step in police reform is always accreditation.

And so, yes, we were accredited through CALEA since 1994 and those standards, put as soon as Arizona got on board and created its own accreditation program, we had to jump at that. And not just because my boss is one of the commissioners, but because it's the right thing to do. And what Scottsdale P.D. is the only municipal police agency in Arizona that's dually accredited between CALEA and ALEAP.

We adhere to 500 models and policy standards. It's about professionalism and policy standards and training. I'm honored to be back. I'm honored to be with you and I've been honored to work

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

with all of you over the last 15 months. I tell my folks after we cross that first year mark, I know we have done a lot. I know we have made a lot of changes. I know we are doing a lot of great things, but the pedal is still on the floor. We're still moving forward.

There's a lot of great things that we will continue to do to honor you and the decision that you have made to honor you, Jim, and to honor you, the decision you made and to honor you, our citizens, our presidents and business owners and the 11 million visitors who come to Scottsdale every year to be the best police department not just in the valley, not in the region but in the country.

And I thank, Pete, and the assistant chiefs for the 18-page nominations with full color photos and quotes from people all around the world, I think. When I read that 18-page nomination, I thought, wow, this is fantastic. Who is this guy? He should be the chief of Scottsdale. We have done a lot of great things together and I very much appreciate your support and we will continue in the future. Thank you for your time.

[Time: 00:13:40]

Mayor Ortega: Hold on, Chief. In law enforcement, there's two families, the family that you go home to every night, and, of course, the family of officers and both sworn and the non-sworn that assist and make our city safe. I will want to call the family down for a picture and I will go down myself, and applaud you all for hanging together and sharing Chief Walther with us.

Police Chief Jeff Walther: Thank you, Mayor.

[Applause]

[Applause]

Mayor Ortega: Okay. The next part of our agenda as posted is public comment. Public comment is an opportunity for Scottsdale citizens to comment on non-agendized items that are within the city council's jurisdiction. No official council action can be taken on these items, and speakers are limited to five minutes -- sorry, three minutes to address the council. It's available telephonically or in person. We have one in person from Mr. Isaac.

Daniel Ishac: Daniel Ishac, 15350 east Alex court. Last year I spoke about the tone and decorum of council meetings. I'm pleased that despite differences of preponderances, the councilmembers have shown respect for others and the rules of order. Unfortunately, Mayor Ortega, you have not.

Most recently last week, you mischaracterized others' comments, especially mine. You used irrelevant data and tried to mislead with a poor analogy. First, you said that it was insulting to say that there are not quality candidates in south Scottsdale. No, mayor Ortega, that's not what

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

I or others said. I pointed out factual and unambiguous data about district-based elections.

In no way characterize any area as having less qualified candidates. If you are unable to repeat what they said accurately, then ask us to repeat it. You read and reread data by stating that under voting is a lack of voter engagement and interest. Luckily two members pointed out that, in fact, informed candidates use that as a strategy to improve the likelihood of election. And even suggested that you yourself have used that strategy.

[Time: 00:18:05]

Even with your relevant data, you didn't point out that under voting was far less the last election than the prior two. Most importantly if you had taken a moment to review academic analysis, you would have quickly concluded that under voting is not a strong indication of engagement. Voter turnout is the single best indicator of that.

Moreover, studies have shown that district-based elections can suppress voter turnout. Lastly, while I understand you don't have a legal background, before comparing election policy to a jury of peers, perhaps you should have spoken to attorneys, whether prosecutors or defense, they would have pointed out the primary strategy in jury selection is to identify juries empathic to their client.

Those with education, socioeconomic background, gender family status, race, sexual orientation are far more important than whether a prospective jury lives 1 or 10 miles away. Mayor Ortega, the office of mayor of Scottsdale deserves its holder to be honest and dignified.

Mischaracterization, misleading data and using spurious analogies are not consistent with either quality. Perhaps it is you, mayor who underestimates the intelligence of our voters. That probably is not a good strategy. Though I have other things to do, I will continue to appear here to point out bad behaviors. Hopefully there will come a day soon when I won't have to. Thank you.

Mayor Ortega: Thank you Mr. Isaac. The public is invited to make comments and cannot make personal attacks, therefore I will respond to those innuendos as stated. Basically, when a person defamed the district system as this person did, he is defaming our neighboring council people and that is not the way government will work.

We have colleagues in other cities who do have district systems and should not be defamed in that manner. With that, I will close the public comment. Next, we have the minutes. There is a request to add an item 12a to our agenda. So we will make that request includes the presiding judge and I'm open to a motion to add the agenda item 12a to our agenda.

Councilmember Whitehead: Mayor? I make a motion to add item 12a to our consent agenda items.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Councilmember Janik: I second that.

Mayor Ortega: Thank you. Any discussion? Please register your vote. Thank you. That's unanimous.

MINUTES

[Time: 00:21:23]

Mayor Ortega: Next, we will move on to approval of the minutes. Are there any revisions? If not, I request a motion to approve the special meeting minutes of January 31st, 2022, the executive session minutes of January 31st, 2022, and regular meeting and work study session minutes of January 31st, 2022. Do I have a motion?

Councilmember Janik: I make a motion to accept --

Mayor Ortega: Thank you. We have a motion and a second to approve the minutes as stated. Please register your vote. Thank you. Unanimous.

CONSENT AGENDA

[Time: 00:22:08]

Mayor Ortega: Next, we have the consent agenda items which are 1 through 12a. There is an opportunity to have a public comment on any of the consent agenda items. I believe there are none. So I will close public comment, which is allowed for any of the consent agenda items. Next, I will request a motion to approve consent agenda items 1 through 12a.

Vice Mayor Caputi: Motion to approve consent agenda items 1 through 12a.

Councilmember Durham: Second.

Councilmember Littlefield: Second.

Mayor Ortega: Thank you. All in favor, please register your vote. Thank you, once again, unanimous. And referring to item number 12a, please join me in welcoming Scottsdale's new presiding judge, Marianne Bayardi. I believe, according to the contract, she will begin on March 21st. So we're looking forward to that, and welcome aboard.

ITEM 13 – 92 IRONWOOD MINOR GENERAL PLAN AMENDMENT AND REZONING

[Time: 00:23:32]

Mayor Ortega: Okay. Moving on to regular agenda items 13 and 14. Item 13 is the Ironwood, also known as the 92nd street rezoning. Minor general amendment, and rezoning. The presenter is Jeff Barnes senior planner.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Councilmember Milhaven: If I may. I as I understand it, the applicant has put forward a request to continue this item and I wonder if we would perhaps take that vote before we heard staff presentation. So I would like to make a motion to continue this item.

Mayor Ortega: Councilmember Janik? We have a motion, but I don't think there's a second.

Vice Mayor Caputi: I will second that.

Mayor Ortega: We have a motion and a second to continue. We will now discuss the motion and Councilwoman Janik.

Councilmember Janik: Thank you, mayor. I have serious objections to continuance on 92nd and Ironwood project. Number one, you have had ample time to obtain approval from the McCormick Ranch HOA. They are firmly against the project as it now stands. The Scottsdale Ranch HOA is also against it, as they are profoundly affected by it in terms in traffic.

Number two, a question the traffic study that was submitted. What assumptions were made to justify the position that a medical building would generate substantially more traffic? Was your model based on a four-story building? Medical offices generally are two stories, not four. Did you assume 100% occupancy with providers seeing four patients per hour for eight hours a day? Again, not an acceptable assumption. Many offices are used only part-time. Did you consider the traffic as spread throughout the day?

Additionally and this is extremely important, a review of traffic and accident rates shows this area is one of the busiest in the city with a high rate of accidents. Moreover, in the recommendations to present at the TAP meeting tonight, the transportation meeting, it is clearly stated that Shea boulevard between the 101 and 96th street is at or over capacity.

Additionally, the presentation tonight will state that Mountain View Road should be expanded from three lanes to five lanes between 92nd and 96th street. This is in opposition to what the traffic report said.

Number three, your plan includes a change in zoning for adjacent property you do not own to accommodate additional density. I object to this back door maneuvering.

[Time: 00:26:41]

Number four, you have been very deceptive in your comments on McCormick Ranch HOA. I was told you repeatedly, at my meetings, that I was really questioning this project, and not in favor of it. And yet you told the people of the HOA that all the councilmembers supported it. You do not speak for me. This is not acceptable.

Number five, the current shopping center has robust activity and has done well with the current

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

situation on this land unlike greenbelt 88 which was facing the shutdown of two big box stores. Finally, number six and most important, the residents who live in this area are strongly against the project. I represent the citizens. They are the ones who elected me. Thank you.

Mayor Ortega: Okay. I also see a request from Councilman Littlefield and Councilmember Durham.

Councilmember Littlefield: Thank you, mayor. I will not be supporting a continuance this evening. Ever since this project was proposed months ago, the neighbors who would be most impacted by it have made it crystal clear that they are opposed to it. And judging from our mail over the last few days, they still are. Not only are they opposed to this particular project. They are worried about the precedence it sets for future dense development projects along Shea corridor, even as councilwoman Betty Janik said, our traffic experts are now telling us that in this area, Shea boulevard is either at or above capacity.

Much of the land that this development sits on is McCormick Ranch. McCormick Ranch has restrictions on what can and can't be built on their land. You can request approval and variance and build something different or more, but you need the board's approval to do it. This developer does not have that approval. He has never had it.

He is basically asking us for our approval in order to continue to pressure McCormick Ranch HOA board to give their approval and override our current no vote to a yes. In other words, we are being used as a lever to try to further pressure McCormick Ranch HOA board to act against their own rules and what they see in their -- as their own best interests. Not only do we not have the right to do that. It is unethical for us to even try.

We should be upholding their rules, not trying to help a developer override them. I was sent a report -- a part of the deed restrictions that McCormick Ranch has regarding this portion of land. Actually, four pertinent parts, I'm going to read to you. This is what they are looking at. Without the prior written authorization and approval the property shall not be further subdivided except by the declarant and no portion less of such property or any easement of the interest therein shall be conveyed by the owner or declarant.

[Time: 00:29:51]

Next, and this one is important, no portion of the property shall be used for any purpose other than offices, service industries, commercial or light industrial uses, which do not cause smoke, soot, dust, fumes or other gases noise or vibration to be exhausted and emitted into the air beyond the premises where such is located: Prohibited uses, residential. Period. Except for occupancy by a caretaker or prayer employed on the premises, together with his or her family.

Next, and final. Change in intended use or business. No portion of the property may be developed or redeveloped otherwise than in accordance with its original intended use, and for

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

its original intended businesses without the prior written authorization and approval of the declarant. They have to have the HOA's approval and they do not have it. They are using us to try to lever that. I resent that, frankly. They have known they have needed this for a long time.

I have spoken to the HOA president several times and she has told me that they do not approve the use of their land. It simply is against the regulations and the ordinance of what can be built there. She also told me they have badgered her, the board, and their volunteers to a point that is well beyond reasonable. I think this continuance request is a very obvious attempt to use this council as a lever to further force the HOA board to approve this use against their own best judgment. And I for one will not use this council position in such a manner. It's just not right.

They should have obtained the HOA permission before this ever came to council. And if the HOA board says no, that should be the end of it. The fact that permission was not given and has been strongly fought by the board, means the HOA believes this is an inappropriate use under the McCormick Ranch rules, and I have to agree.

Using this council by asking us for more time to try to pressure the board to vote for more -- for something they do not believe is in the best interest of their HOA or of their residents is not how we should be conducting business up here. And I will not vote for this.

Mayor Ortega: Next, we have Councilmember Durham and then Councilwoman Whitehead.

Councilmember Durham: Thank you, mayor. In getting ready for this meeting, I was prepared to vote for the continuance, because I think the applicant in any project is always entitled to give us their best shot and to improve their project in response to citizen input, and we have had several projects which have been improved over time with citizen input, but -- and in getting ready for the meeting, I was a bit shocked to see that there is no development agreement associated with this project.

[Time: 00:33:17]

We have received a number of promises from the applicant regarding the operation of the facility, particularly in regard to workforce housing and housing for nurses and housing for people at Honor Health and so on, but without a development agreement, those are meaningless.

The promises that have been made to us are meaningless, and recently our practice has been to develop some very robust development agreements which -- where we attempt to strengthen and record the promises and the conditions that have been made to us.

So I was frankly shocked to see that there was not a development agreement here. And I would be happy for Mr. Jones to address that, if he could explain that. And the -- and this also relates to the McCormick Ranch issue, because any development agreement, I would think would

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

provide that the project does not go forward without the agreement of McCormick Ranch.

So that's certainly one thing which I think should feature prominently in a development agreement, and since we don't have one, you know, I do question the appropriateness of presenting this project without the necessary conditions that have been -- that have been necessary to go forward with this project. So I'm glad to hear from Mr. Jones if he would like to address that.

Mayor Ortega: No, we are not ready to hear that. I just want to vote on the continuance or not. And any other explanation will be through the full presentation, if the motion fails. At this point, I give the floor to Councilwoman Whitehead and then back to Milhaven.

Councilmember Whitehead: Thank you, mayor. So I'm not going to repeat what a lot of my colleagues up here said. I agree with them. And I don't think 30 days will make a difference in my support or lack of support for the project.

I oppose the continuance and I think the best -- the best way to expedite the removal of these vacant buildings, the best way to expedite something being built is to deny the continuance. Thank you.

Mayor Ortega: Okay any other remarks? Ms. Milhaven?

Councilmember Milhaven: Thank you. I would like to speak to my motion. Wow. Where to start. Let me start with this is my neighborhood. So I am a neighbor. And this project would put housing, which we have all heard is in -- we are short on housing and the demand for housing is astronomically increased rental rates to the point where because we import most of the people who work here, people are having trouble finding people to work in their businesses.

[Time: 00:36:28]

So to put an apartment complex between two of the largest employers in our city, a medical office and shopping center seems like the most appropriate place to put needed housing. Having said that, I think some of the reasons that my colleagues are not going to approve a continuation is the very reason why I think we need a continuation.

This council should not move forward without the McCormick Ranch property owners association approval of this project. It's absolutely necessary. And I don't think that they are going to be persuaded or not based on any action this body takes because I don't think we should take any action without that approval.

Council -- I have also spoken with folks at the property owners association, and it was my understanding, and I may have -- I may not have it correctly, but my understanding was that they did approve the change of views to residential and their concerns were about how tall the building was in certain parts of the parcel, how far back from the road it was, and that they had

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

been very specific and very clear about what they wanted to see in terms of heights and setbacks and massings of building and if the applicant were to comply with that, that it may well get an approval.

So the continuance would give them the time to get that -- to revise this site plan to meet the property owner's association. Sure, we can be critical of the applicant, well, why didn't you listen sooner but if at the end of the day, it's a worthwhile project that meets the requirement of the property owners association, I think it meets a real critical need in our community. Folks have talked about traffic.

Yes, this is -- this is a busy road segment at the freeway entrance. But let me tell you whatever gets built on the parcel that has a vacant office building and a vacant parcel is going to create more traffic in the area. And what we know is, and if you think about it intuitively, residential use creates fewer car trips than April office use. Just think about it for a minute. I go to a doctor's office right in that area. It's a doctor and he has three people working in his office.

That means four people are coming and going during rush hour and he has patients going. Appointments are 15 minutes to 30 minutes and compare that to an apartment that may have one or two people living in, it who may or may not go to work. Intuitively, it's clear that a residential use will create fewer car trips than answer office use. And perhaps some of the people --

[Time: 00:39:02]

Mayor Ortega: I'm asking just speak to the continuance.

Councilmember Milhaven: That's why I think we need to continue it.

Mayor Ortega: It's okay to continue with other reasons. We are talking about the continuance.

Councilmember Milhaven: Right. So what I'm -- so traffic. So at any rate, I understand people who are skeptical about the traffic issue, but I think that -- oh, and some of the people who live here might be walking to work, which would take some cars off the road. I think this project has some merit. And I think if they can work through this, I think it will be a valuable project for our community. So I would like us to continue this case.

Mayor Ortega: Okay, vice mayor Caputi, any comments on the continuance?

Vice Mayor Caputi: I feel like this is going towards having a complete presentation. So I don't want to give all of my comments right now, other than it's hard for me to imagine that this council wouldn't want to at least continue to hear from residents, from HOAs and people who want to have input into the project.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

That's what we talk about, giving people a voice and letting them have their say. And so I was looking forward to hearing what the applicant could do, given a little more time. I'm putting out there about traffic. That does seem to be the comment that we get 99% of the time from this project. This is a really busy intersection. This is a major employment center. In fact, the largest employer in our city, Honor Health, is located there.

So having busyness and vibrancy in the largest commercial corridor of our city is actually a good thing. We are a successful, vibrant city and that's what happens. And I think we will hear later tonight from our traffic department that, yes, during rush hour, this particular intersection does have some pressure to it. Again, busiest intersection in our city. That's what's going to happen as we grow, but the transportation department is addressing this as Councilwoman Janik pointed out.

Mayor Ortega: Excuse me, I want to get the city attorney. If we can --

Vice Mayor Caputi: I'm trying to provide some other avenues. So we should be able to prevent some of that. I think we should have a continuance. That's my second. Thank you.

Mayor Ortega: Thank you. Thank you. Councilwoman Whitehead and then we will take a vote.

Councilmember Whitehead: You know, I want to address the apartments and I'm not against residential. I think it has to be right sized, but I am counting upwards of 2,000 plus apartments in the pipeline. We don't have a shortage of apartments. We have a shortage of entitlements where they get built.

This is based on staff reports that I have, and I haven't -- I just quickly added up. But we have quite a few apartments in the pipeline. Thank you.

Mayor Ortega: Thank you: Again speaking to the motion on the continuance, city attorney.

[Time: 00:42:00]

City Attorney Scott: I'm unsure in the applicant wants to address the request for a continuance but as a matter of procedure, I think it would be a good idea to give them the opportunity to take some of the time that they are allotted to present their case tonight, if they wanted to address the continuance request before the council votes.

Mayor Ortega: Thank you. Good suggestion. Now that you have heard from everyone up here, you normally have ten minutes of presentation. So if you would like to address some of the points on the matter of continuance, please proceed, Mr. Jones.

Kurt Jones: Thank you, I Mr. Mayor. Thank you, city council. Kurt Jones with Tiffany & Bosco, we are at 2525 East Camelback Road, in Phoenix, 85016. Here tonight representing -- if I could have

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

the Elmo, that would be great. Representing Mr. Jim Riggs and m92 caliber, the shopping center owner which is Westwood Financial. So with regards to the continuance, Mr. Mayor, I respectfully request this ten minutes is regarding the continuance. If the continuance is denied, I will have --

Mayor Ortega: If you use ten minutes, it's fine. Try to be precise again to the continuance issue not all.

Kurt Jones: Correct and I see that the executive director of McCormick Ranch is here. A lot of comments from the council with regards to McCormick Ranch. We are not using the council at all for leverage. We had assumed by the time we got to this point on February 22nd that we would have approval.

[Time: 00:43:40]

The client, not being maybe the best listener to the McCormick Ranch POA has finally realized in order to get McCormick Ranch property owners association approval, was to resubmit this morning everything they requested for.

And so we did that and we have an application and I can go through the presentation if we are not going to continue tonight and I will show you the changes we made which specifically addresses each one of their items. So, yes, we don't have their approval yet. We had a very constructive meeting last week. When I say we, it was me.

It was not the client who through stories, through hearsay, obviously has not had a good relationship with the HOA. That's a personality issue. That's not an application issue. We believe the application has merits not only for the area, McCormick Ranch and the city and the employees and employers around it. The item that is on the first item on the screen here, we have proposing 10% of the units.

We are down to 273 units. We're proposing the CC & R, Councilman Durham. We are proposing to do it as a private restriction, a declaration against the property, whereby the property owner and the property management association enforce it for ten years.

We can talk about stipulations and how that's enforced and how we come back and report how that's working, but we feel that that's four times the previous two approvals this council has approved for affordable housing and the options that we're providing are extremely better than the two previous approvals by this council.

With a free month rent, with a lead time for everyone from a teacher, from a firefighter to a police officer, to rent these units with a free month rent, and we believe that all the workers within a mile radius of this property have that opportunity. So it's a minimum of 27. That doesn't mean we will max it, you know -- that's the maximum. We will have to figure out what that max

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

is. But that's a minimum.

I have not seen any residential project come forward with something of this nature. Ten years. The previous two approvals were five years and on top of federal housing law. We worked with our neighbors. I think the stalwart of this community is to continue to work with neighbors. That's what we are asking for. We want to work with the neighbors.

We reached out to the Ironwood HOA which is the office buildings south of us. If you recall earlier on, they were not in favor of our proposal. This was at the planning commission meeting. They were not in favor of our proposal. They are now not in opposition of our proposal. That means all five property owners directly adjacent to this property are in favor. As one of the councilmen mentioned two of the major employers are of those property owners. Someone mentioned traffic. 80%ish of the employees in Scottsdale come to the city to work.

So I'm assuming the 80 percentage of the two top employees that surround our property cannot speak to the issue because they are not part of this city. And I assume if they came to speak, they would get the same respect. The city has two times the open space that's required. We went from 338 units down to 273 units.

[Time: 00:47:05]

Now, our issue with the McCormick Ranch POA has been a positive one. They may not say it's been positive on their end. What I have for a presentation this evening demonstrates a project that looks great. Okay?

It's going to -- it meets exactly what they told us they wanted it to meet. It took us a while to get there. Good projects take time and that's where we are at right now. We met last Thursday. They looked eye-to-eye and we said what are you looking for? And they said it's on the previous denial letters. Someone mentions we do have approval. It's a little bit unorthodox. We can ask the city attorney.

We technically there don't need a private body's approval before we get approval from the city. This is a new thing that we are adhering to and we are trying to get their approval, okay? And so we have been to their board. We have resubmitted and application. We have approval on the whole lot split issue that occurred on this property. And we have approval from the board on the zoning and the minor general plan amendment.

Typically, at this level, you don't get into the details of designing a building and zoning. In Scottsdale, we do. And so we are there. We are designing a building with their approval and the land use. So someone mentioned that the land use is not allowed. They have approved the land use. Okay?

We are at a point to where we are talking about shifting and moving and we believe we shifted

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

the buildings and site plan to address their concerns. That needs to take time for them to sit down and understand what we submitted and meet with them and talk through. It's not a guarantee that we will get their approval, but we are at a point where we are continuing the dialogue.

That's why we are requesting the continuance to see if we can get the McCormick Ranch submittal and their approval so we can move to the council and whether or not they would consider the zoning of the minor general plan amendment.

With that, I respectfully request a second continuance. It's what you afforded the greenbelt project with a second continuance. We are a little bit of an odd duck in that we have an HOA. They did not have an HOA. And so we have an extra process that we have to go through. It's a simple ask and I didn't realize it would have generated comments that it generated but we feel we are close with respect to the McCormick Ranch case.

Councilmember Milhaven: I will withdraw my motion to hear more of the detail.

Mayor Ortega: By withdrawing the motion, there is no vote on the continuance. Is that what you mean? There's a motion and a second and I didn't hear the second withdraw her second. But I don't see why we should –

Vice Mayor Caputi: I will withdraw. If we are withdrawing the motion, I don't want to gum up the works.

[Time: 00:50:02]

Mayor Ortega: As to form, it's -- we shall vote on the motion as presented, and subsequently, there will be a presentation as was supposed to occur in the first place. So at this point, register –

Councilmember Whitehead: Mayor can you repeat the motion?

Councilmember Milhaven: As a point of order, you can't vote on a withdrawn motion.

Mayor Ortega: Let's clarify that. I'm just trying to say it for common sense, if you withdraw the continuance that we proceed where we should have been 30 minutes ago. So is that okay with the city attorney to withdraw the motion and the second?

City Attorney Scott: Certainly. I think that's allowed and unless somebody else wants to make a different motion, we can just move on with presentations.

Mayor Ortega: Okay.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Councilmember Whitehead: Mayor.

Mayor Ortega: I do have a discussion then, Councilwoman Janik.

Councilmember Janik: I would like to make a motion to not continue the continuance.

Councilmember Whitehead: I will second that.

Councilmember Janik: And I don't think I said it right.

Mayor Ortega: By failing the continuance, we will proceed with the presentation by the staff. The public the comment and the applicant will -- you know, we will just proceed with the presentation as though the continuance motion did not exist. So at this point, I would -- I would call our -- the staff person --

Councilmember Whitehead: Mayor, can we vote on the motion on the table?

Mayor Ortega: You want to make a motion to not continue.

Councilmember Janik: I want to make a motion so we can vote on it. They withdrew it.

Mayor Ortega: It's on the agenda. So obviously we will proceed with the presentation as agendaed. Item number 13. And item number 13 is the case 92 Ironwood, also known as 92nd street, rezoning minor general plan amendment and rezoning.

Jeff Barnes is the senior planner and many Jones will have an opportunity to make his presentation. So we are in a time machine and you will now proceed with our -- with the presentation as agendaed.

Jeff Barnes: All right. Good evening mayor and members of the council. I'm Jeff Barnes with the city's planning department. I will run through this presentation with you here for the minor general plan amendment and the zoning request. I understand everybody is fairly familiar with this site, but I'm going to give us all a refresher here.

[Time: 00:53:02]

This site is highlighted in yellow on the slide here, south of Shea boulevard, on the east side of 92nd street. It is located -- I will get a little closer view here. It is a developed site right now. There are existing commercial buildings on the north side of the site that are proposed to remain as part of the proposed redevelopment, the diagonal building and the building on the southern side of the site are proposed to be removed and replaced with new building on there.

The existing site has partial PUD zoning from a previous zoning action, but that was for a smaller development site. So the current proposal also includes rezoning a portion of C3, PCD property

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

and CO PCD zoned property as well. The requests are laid out here. They include adopting resolution 12279 in regards to the nonmajor general plan amendment from commercial to mixed use neighborhoods on portions of the property.

The second is adopting ordinance 4521 regarding the zoning district map amendment, and then the third being the development plan that corresponds to that, that would be adopted through resolution 12280. Getting into the general plan change, visually here, a portion of the site is already mixed use neighborhoods, tied to that previous zoning action. The other portions are commercial designation currently.

That general plan change would take the entire site to mixed use neighborhoods as shown on this graphic. The existing zoning, as I mentioned is PUD zoning in the center with portions of CO and C-3. The request before you would take the entire site to PCD PUD zoning corresponding with the development plan that's been submitted and proposed.

[Time: 00:55:47]

Running through some of the details of that development plan, the site as I mentioned, north buildings would remain in place. The diagonal and southern building removed and replaced with residential with an integrated parking garage in the center. As indicated on the map here.

As the applicant mentioned in the discussion regarding the work that they are doing with the McCormick Ranch property owners association, they submitted some documents to the association for review this morning.

They sent those over to us and I have got -- I tried to incorporate them in here so you have got an understanding -- I'm sure they will speak to them in more detail, but to give some indication of both as that's what's being requested of the association.

So this plan lays out fairly similarly, it drops the unit count on the site down from the 285 that's in your current proposal. It would bring it to 273 unit count. Part of the big change in what they have submitted to the association is pulling back the fourth floor of the building as it's currently proposed in the documents represented in our packet to you.

Further to the east of the site -- so it's further away from 92nd street. So you've got less four-story massing towards 92nd. That also lowers the parking garage. So on the left would be what's currently represented in your materials.

On the right would be that scaled back, the hatched area being the fourth floor, building elevations in the development plan. This is the current that you have showing that fourth floor component Midway along the building. The building also stepping down towards 92nd street. The updated draft proposal would bring that much further back into the site with mostly a three-story component at that front area. These would be the east and the west elevations. A

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

little less visually telling of those changes, but they are reflected in here as well.

Mayor Ortega: Excuse me, what is the date open those changes? My packet shows it was 12th of December. So what is the date as shown on those drawings?

Jeff Barnes: Mayor, these documents are dated today.

Mayor Ortega: All the posted information is different than what the public has seen and on record in my own packet. Thank you.

[Time: 00:59:18]

Jeff Barnes: For clarity, what the public has seen is going to be the same as what's in your packet. What is shown here is what went to the McCormick Ranch association in response to their design review comments I believe this morning, and the applicant can clarify.

Mayor Ortega: So that's been shuffled differently than what I have in my packet, and what's posted? I show December -- anyway, December 17th on our information. Okay. Thank you. Just -- just so that I know what I'm looking at, because it's totally contrary from what I --

Jeff Barnes: Yes. Certainly. That's why I'm trying to put them in a one after the other as well. The renderings just kind of wrapping up those elevations, this is what's in your packet. This is what went out with our staff report. This is what was received earlier today, showing the scaled back elevation and component. And the same thing looking from north to south here. This is what's in your packet today.

This is that scaled back component with the fourth story at the east end of the project. A little bit of history to touch on. So this has been in our process for a little while. It went to the development review board back in September of last year. As part of our process for PUD, proposals, the development plan goes first to the development review board for their input and recommendation, which they gave a recommendation of approval.

And then this is moved forward to planning commission later that month. And the planning commission recommended approval with a vote of 4-3. That development plan has been modified along the way to scale back some building height and number of units and things. And it -- this proposal went to -- went to the city council in October of last year: At that point, they were still working through some of the details and request irrelevant this first continuance from you and it -- requested their first continuance from you, and it was granted to allow them to keep working through those detailed.

A little bit of information, I'm going to try not to cover all of these things, but what I wanted to show, again with the understanding that there's the information we provided to you, and then there's the -- the information that the applicant is working through more recently with the

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

McCormick Ranch association, is some differences in the details of this.

So their building height as shown in the updated elevation exhibits would drop from 48 to 46 feet, and the number of units as I mentioned drops from 285 to 273 and some of these other numbers balance out accordingly as that residential area is reduced back to remove some of that fourth story component.

And as mentioned in your continuance discussion, and some of the other acknowledgments by the applicant, we have received a lot of comments throughout the course of this project, both in support and in opposition.

Those are included with your -- with your packet and I believe you have gotten supplemental as those have been coming through as well. And that wraps up the staff presentation, the applicant, again, is here, and has probably a lot more to tell you about where they are at in those updates and that process. I will turn it over to them.

[Time: 01:03:34]

Mayor Ortega: Thank you very much. At this point, you will have ten minutes and then we will go into public comment, but we do show that there are two requesting to speak in person. So please proceed, Mr. Jones.

Kurt Jones: Thank you again, Mr. Mayor. Kurt Jones with Tiffany & Bosco, 2525 East Camelback Road in Phoenix, 85016. I'm going to vary from my 50-slide presentation on how great our project is, just to clarify some of the comments that were made during the continuance discussion and I think may make some sense.

Again, executive director McCormick Ranch is here. She can speak to what they have and haven't done, have and haven't said. But I will reiterate in your packets, you have their approval for our lot split configurations. This is a confusing site. We are connected to a commercial center.

Therefore, a commercial center being connected to our rezoning case is not that farfetched. The previous examples of greenbelt and other examples are entirely different. This project, when we were out with the McCormick Ranch board walking the site this goes again to the collaborative, trying to figure this out and get to an approval.

They witnessed the jackknifed truck that came out of that commercial center because there's one way in and one way out of that Sprouts Center. I think everyone wants to see that Sprouts Center succeed. That's the whole goal of this project. We are not only going to help this center succeed. We are creating a new access point for it.

A signalized access point to something that has not already probably caused an accident with

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

the way the trucks enter and exit this site. The issue of what the board has and hasn't approved, I will reiterate. The lot split project process has been approved by the board. The letters are in your pocket.

This is a minor general plan amendment and rezoning case. It's not a site plan approval case. Scottsdale does it to the nth degree and approved site plans with their zoning. That's where we are at. The final 1 yard line.

The McCormick Ranch property owners association, approved the minor general plan amendment and the rezoning. So they are all good with the land use. They are all good with the change in our general plan. They are all good with what we requested of them.

They have April architectural review committee -- an architectural review committee, that albeit, we have not adhered to everything they said. We feel we are at a point where we have. It took time. Things take time. This is a project that I think will benefit everyone in this city. Not just, you know, just the developer, not just the person that's going to make the money on the deal.

This is a project that benefits the two major employers in our city and we have their recommendation for approval on that. So what I would like to do is just have the executive director come up as part of this presentation and explain what they have approved and that they are willing to work with us, with this continuance separate from the city council to adhere to what they are asking us to do with regards to design.

[Time: 01:06:54]

We feel that the design we have in our presentation meets it. We got to go through their process to figure out if that is the case. And we're asking for that 30-day continuance to get there. We think that that's what the collaborative effort that Scottsdale enforces on us to do, is what we are asking for. So with that, if you would like, you can --

Mayor Ortega: If it's part of your presentation, then he can continue, but then we will go to public comment. So it's either going to be public comment time or -- well, why don't we --

Kurt Jones: And Mr. Mayor.

Mayor Ortega: Which way do you want to do it.

Kurt Jones: I thank you. We are a little bit out of sorts with regards to process. My understanding is with the previous multifamily project you had approved, a lot of stuff shook around that day of. And that's why we request the continuance. We will respectfully request another instance as part of our presentation. If we don't get the continuance vote, we will withdraw our case and work back with McCormick Ranch and start this process over. I think

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

that's useless. I think that's a waste of everyone's time.

And I think it's a waste of everyone's efforts with regards to what we can produce with regards to getting to that final acceptance. And I think that -- I think that we are there. And I just think that we need that extra time to get there.

Mayor Ortega: I see what you are requesting. The motion for continuance can only be made by us. Councilmember Durham. This is a question phase. If you I have a question in particular to the applicant, that would be great. Or –

[Time: 01:08:57]

Councilmember Durham: Yes, I have a question for Mr. Jones.

Mayor Ortega: Go ahead.

Councilmember Durham: I'm a little bit hard of hearing sometimes, but the mayor asked a question about these latest revisions, and if I heard the answer right, the fourth floor was drawn back as of this morning?

Kurt Jones: Mr. Mayor and Councilmember Durham, the fourth floor was drawn at our last McCormick Ranch meeting. The McCormick Ranch gave us specific directions. We didn't adhere to the specific direction and the specific direction was one and a half units was not on that back parcel that we are rezoning from the CO to the PUD. We moved everything back for 90 Street from 92nd street.

Because of the awkward shape of our building, we didn't go the extra mile and create jogs in our hallways and create jogs in bedroom units to get all of our units on that fourth floor on that back parcel. So we are not 400 feet back from any fourth floor unit. Because we didn't meet it to the t, we didn't receive we received denial.

We had our step in our building, in our previous application to the board. We took that away, thinking that they were not concerned about the step. We're losing all of those units on fourth floor as we pushed them back and we put them back on the front of building. They said we like the step in the billing. I get it. It looks great now and we put the step back.

One the members had an issue with the density. We solved that. We have taken density off the table. I think the bigger one was the direction on their specific denial letter was including the garage, not just the fourth floor, including the garage, lower that. So that's below and that's the 36 feet three stories world. And now we have done that.

We didn't do that on Thursday and they pointed that out to us. And they pointed that out to us that it was in the letter. We now adhered to all of that. It took us some time. We didn't mean

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

any personality issue in anyone in doing so. It just took us some time.

And now we are requesting that continuance to have that board look at it, review it, give us the thumbs up and thumbs down and determine whether or not we have met what their declarations say they have to meet. So that's the honest request for a continuance. That's where we are at.

Mayor Ortega: Okay. At this point, you can respond to any other comments from public comment. I would like to move to public comment. If that includes a representative from the HOA. I want to differentiate between the HOA rep and architect rep, the committee rep at some point. So let's move to public comment. Unless there's another question.

Councilmember Milhaven: I wanted to point out that the applicant didn't use five minutes.

Mayor Ortega: If he wants to use the time for the association for his time.

Councilmember Milhaven: Thank you for that clarification.

Mayor Ortega: I have no problem -- I'm not cutting anybody off on that, in that respect.

Councilmember Milhaven: Thank you. I wanted to note that he still had five minutes.

Mayor Ortega: He also had ten full minutes on the continuance when that discussion happened. So at this point, we want to allow public comment and that's how we'll get there. And we have one for Mr. Ishac.

[Time: 01:12:49]

Daniel Ishac: Thank you, still Daniel Isaac and still at the same address. There's a lot of discrepancy in what is being said and what is being cited, assumption of intent, and there seems to be some misunderstanding, which is exactly why I think the developer should get the continuance.

If you have updated drawings and they are still working with the HOA, I don't know why even if you don't like the development, you wouldn't grant a continuance. But specifically, my prepared comments were we have a developer who has worked to create functional, attractive space for Scottsdale.

It fits much of the criteria for -- that is called out in the general plan. And many of the stated wishes of council and the mayor, specifically, it is mixed use, commercial, including retail and residential. It actually decreases traffic based on city's experts, however, if that study is flawed, then there should be discussion of it. It is not as tall as the current zoning allows. It will increase customers for local retail.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

It provides walkable, bikeable housing for two large employers Honor Health and CVS, the largest by far and the fifth largest employers in Scottsdale. As well as many other smaller businesses. It will be an improved look for the area than the existing space or full commercial development. It does not require new infrastructure.

It will not put additional strain on valley water supply, since residents are going to live somewhere in the valley anyway and it will be more favorable than single family homes. It provides more affordable housing options nor Scottsdale workers, and the -- for the Scottsdale workers and the city staff supports this recommendation based on hours, if not days of analysis and work with the developer.

Scottsdale has quickly moved from a development favorable community jumping over the NIMBY, not in my backyard mindset to what the wall street journal refers to as banana build absolutely nothing anywhere near anyone. That's not a sustainable strategy. I live off of Shea. I face the traffic between Shea and 101. This will not increase it. Residential is not as bad as commercial for traffic. Please read the report.

Local businesses, the life blood of our financials support this project. More importantly, it provides housing options not currently available in that area. Please, either approve this project or grant a continuance because process is important and regardless of what you think about the developer, giving them an opportunity to work with the HOA is the appropriate thing to do.

[Time: 01:15:51]

Mayor Ortega: Thank you. So next we have Mike Crocker and then Jason Alexander.

Mike Crocker: Yes, Mike Crocker, first of all, thanks Ms. Littlefield and thanks Ms. Janik for taking the most important thing that's being missed by a lot of other people. The citizens, we are all here. We do not want more apartments. That's all the city has turned into is apartments. Okay?

I have had not a talk with Mr. Jones before, a great guy. If they are going to propose townhomes, condos or single-family homes there, I'm all for it, okay, because this city was built on pride of ownership. Okay?

And I know -- and the reason why the city is so good is because people have skin in the game and own homes and follow rules and laws. Okay? And that's why it's -- that's why we have the city we have today moving forward, but it seems like the agenda that wants to be moving forward wants to build all apartments.

No you with that being said -- now, with that being said, why do we have to build another apartment over there? Up in north Scottsdale I see nothing except homes -- homes being proposed, okay? North Scottsdale is segregated from the rest of the area. All right?

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Now, I know why they probably don't want apartments in their area either and I get it, okay? But why do we have to have all this stuff down our throats down here. It's nothing but apartments, okay? Now, you -- now, the other thing too is you are talking about ownership. Scottsdale's one of the top areas people want to move into, correct? Okay?

So you have people in line trying to come in and buy the homes. On my block alone, in the last year, we had five houses go up and they all went like this, okay? Including the last few weeks, all right? Right in the area where these apartments are. Nobody in my area wants the apartments either. So are you listening out this? The people do not want the apartments.

They want to build townhomes, condos or ownership, we're for, it okay? Now, if you are going to -- now if we have to reach out and we want to take care of everybody and appeal to people that don't even live here, and there's other things too, because the city is crumbling somewhat and Ms. Caputi at least returned a call once to me but she probably didn't like the conversation but at least we had a conversation.

But I would like to say some other things too. I'm a first responder, and also, they are appealing to the nurses and hospital workers and all due respect, it's just a marketing gimmick. It's not just for them. You get what you earn. That's how I got here and what's most of the other people got here too. I was a first responder.

[Time: 01:19:08]

And I appreciate, Mr. Mayor that you addressed the police but by building these apartments -- real quick, I'm almost done. I suggest that you plan on doubling your budget for the police department and eventually start a housing program for all the apartments because it will be impossible for the police to police the area and all the apartments. I hope you are listening. We don't want apartments. Thank you.

Mayor Ortega: Thank you, sir. Jason Alexander.

Jason Alexander: Jason Alexander, 9976 east Jasmine drive. I had not actually planned on speaking tonight, because I think this case is so well known and well defined at this point that all the pros and cons are out on the table and you all certainly covered them, but when I heard there were only two speakers here, one in opposition, I felt compelled to speak, because I'm aghast at the opposition that this project has generated, purely on social media.

Now, the opposition expresses opinions and that's exactly what we should be listening to. But where are the people? Where are the actual opponents with skin in the game? As many of you know, when we were opposing the Desert Discovery Center we showed up over and over and over again.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

We spent years building opposition, doing research, publishing detailed opposition papers. We spent years building our case, building a legitimate PR effort and we ultimately got 37,000 signatures opposing this project. Now, look, my hat is off to opponent to take advantage of Nextdoor and a couple of videos, but where are the opponents? Click bait is easy. Gratuitous videos that appeal to fear is easy. My hat is off to the people who made these videos for utilizing the tools that they had to their advantage. Where is the opposition?

At the last open house, this was a head count, I think they had sign-ins. I also did a straw count of who was there, and it was approximately 60 people in favor and 20 people against. This is in the neighborhood. Where is the opposition? We should not be driven by ridiculous social media hype. Thank you very much.

Mayor Ortega: Okay. Thank you. At this point, just to -- I will call back the applicant and discuss any other points that you want to address.

[Time: 01:22:02]

Kurt Jones: Thank you, Mr. Mayor, council. I would like to address the last speaker with regards to social media. I agree 100%, this is a social media nightmare. I'm a previous resident of McCormick Ranch. And I'm a current resident of Scottsdale Ranch. So I get all three Nextdoors to my Nextdoor account and up late at night just listening and watching and reading these wonderful notes about how bad this is going to be for Scottsdale.

I obviously don't weigh in on it, but it is -- it's been mind blowing on what is happening with regards to this project in particular. It does mention some of the other projects and it does bring in some person councilmembers' names, and they sound threatening. We don't have any speakers here tonight that we asked to come because we believed we deserve a continuance.

We will have speakers, just like the previous multifamily cases before you, we'll have those speakers for the businesses around there, the nurses association. Speakers that I think mean something with regards to what we are proposing.

This case has so much merit that I'm not sure why we can't get a continuance and work with the folks that are sending you this information. That's all we are asking for. We are asking to get through the McCormick Ranch property owners association meeting and their architectural review committee and see if we can design something that looks great. I think it looks great now. I thought it looked great when it was there on Thursday. Now I get it.

They lowered the parking garage. You don't even know that there's a park, garage there. The healthcare across the street has two ugly parking garages. The office buildings in the area, not the greatest design. You look at our building and I think we will enhance this area, not only land use-wise, because that's what the McCormick Ranch property owners approved, our land use.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

When we get this design approved, I think we will be able to come back to you and show you the merits of case to demonstrate that it's a worthy project for Scottsdale. Thank you.

Mayor Ortega: And if you will just stay up there for a second, because I did not weigh in on the continuance. Everyone else talked about it, and then Ms. Milhaven withdrew it. You know, part of the problem is I saw the headline that said, Ironwood asked for continuance and a couple of calls came to me and said, well, I guess I don't have to show up. It's confusing and the actual process is only the council can Grant a continuance.

[Time: 01:25:07]

Now, what is the purpose when there is lack of preparation? When there is something that just came out this morning that I have to call out and say, you know, I have been here 40 years too and we don't do that to city councils. We don't bring something forward minutes before and having completeness to work with.

But philosophically -- Kurt you have been here a long time. You remember as a staff person, what the density was in McCormick Ranch. It was never over 20 units an acre. We could look at what the actual history is under the r4 or the r5. I'm not sure -- you are a long-time, you know, planner.

So what you have today, because McCormick Ranch was designed in 1971, Gonzales, the same architect that did this, did the layout. What you have a clash with is what looks, feels and is the McCormick Ranch identity. Clashing with something that requests two or three times the density that is properly deeded and within the general plan. That's why it says it's awkward.

That's the clash that a deal with citywide and I rely on high density counts and that's what you were attuned to as a past staff member. That's where we have both a systemic problem and not getting there, and the overlay of the McCormick Ranch site plan. That's why we have enough dental shops and retail in those clusters within McCormick Ranch. And to eat into that is a hindrance that we wrote. And that's first comment about why this incompleteness and I don't know that you will ever get there.

Because what's happening is, it's started way up there at 2 -- 338 units and then has come down. So I'm mentioning that because it's not something that we can professionally say -- say it's professionally presented so that we can answer it either now or even 30 days ago. The plan I have in my hands was from September 17th, 9/17, right and then you have a continuance and these changes and when they even mention DR board approved it, or planning commission approved it, well, that was a different plan and a different count and a different such and such.

That's really not fair to say they approved this one at that time and maybe you should start over, because it is really where the -- really where the problem is, in terms of asking us to do something on the fly, because I have no guarantee, again that in 30 days you are going to say,

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

well, this is incomplete. That's incomplete or, yes, we finally gave on it.

Now, I had to respond to the continuance question. I'm not in favor of continuance right now. We do have other people and I say that because you brought up the continuance and the choices, approve, deny or continue. It's a fair question to request a continuance in this as we have heard at this time. Council Milhaven, Durham and Janik.

Councilmember Milhaven: Thank you. I think you make an excellent point to say the materials we have here are dated. There have been significant changes to the project. I have been -- while I don't always agree with my colleagues I been impressed with their willingness to be thoughtful and hear folks out and I'm looking at the packet materials and we saw significant changes to the height and the density of project.

I think all of that is exactly why we need to provide a continuance. We're going to -- if we don't continue this item, we're going to be making a decision on a project we didn't have the details on. And so I'm going to make a motion that we continue this item for at least 30 days. Thank you.

[Time: 01:30:04]

Vice Mayor Caputi: Second but I would like to speak in my turn as well.

Mayor Ortega: Okay. Please go ahead, councilwoman -- Vice Mayor Caputi, speak to your second and then we'll vote on that.

Kurt Jones: Mayor and vice mayor, pardon me for the interruption. The executive director for McCormick Ranch is here. If she could speak to the continuance, that would be helpful on our end.

Mayor Ortega: I was going to allow for that and call her up myself but then we got another motion to continue. So, you know, we still -- we're still pressing on this when we have other people that want to be able to weigh in. And I think I said that.

I would be glad to defer to get some explanation from the association. But, again, I'm having to vote on a continuance motion.

Vice Mayor Caputi: Okay, I would love to hear her speak, if that would like --

Mayor Ortega: So would you like to remove your continuance your second because there's other people that still want to talk about the presentation.

Vice Mayor Caputi: I still want to talk about the presentation in general, but, you know what, I would rather hear what we're here to hear, before I talk more.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Mayor Ortega: The subject is a continuance. That's the motion. So the person that's speaking will only speak to the continuance.

Vice Mayor Caputi: That's fine. Speak -- of course.

Mayor Ortega: And then the discussion should not go off on traffic.

Vice Mayor Caputi: That would help us make a better decision, I agree.

Mayor Ortega: Well, I call the question. Let's just vote on the continuance up or down, and then we can proceed with the presentation as it should be. The motion was to continue. All in favor --

Councilmember Milhaven: As a point of order, you may not call the question without a vote of the council.

Mayor Ortega: No, you can change -- you can get -- when you call the question, it requires a vote. And if you want --

Councilmember Milhaven: Your vote is to call the question. Is that correct?

Mayor Ortega: She's questioning my ability to just call for the vote of the continuance. So a no vote would mean that Ms. Milhaven's counter to my suggestion is void. A yes would support Milhaven. All in favor, record your vote.

Councilmember Janik: I'm not sure what we are voting on.

Vice Mayor Caputi: I'm not sure.

Mayor Ortega: The question now has to come for a vote. And I have -- okay. City attorney, proceed. She can clarify that for us.

City Attorney Scott: Yes, mayor. Thank you. If your intent is to call the question, the council should first vote on whether it's going to call the question, and if the count -- in the council votes yes to that, then the council shall then proceed to vote on the motion to continue.

[Time: 01:33:17]

Mayor Ortega: Thank you. I will be voting yes to call the question. Everyone please record your vote. Okay. It carries. Therefore, we will now go to the main motion, which is to continue and at this point, the no vote -- the yes vote would continue and a no vote would not continue. Okay. That motion dies. A second time.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Kurt Jones: Mayor?

Mayor Ortega: The first time it was withdrawn. For clarification we want to continue the presentation and we have eliminated one of our choices was to continue the case. Now it's either approve or deny. And that's where we are at. I'm asking to give courtesy to the HOA association to come forward and explain the latest paper position that they have, if that suits them.

[Time: 01:34:33]

Jamie Yuric: Thank you, Mayor Ortega and councilmembers. I'm Jamie Yuric. I'm the Executive Director of McCormick Ranch, and I serve on the architectural review committee, which is incorporated to make decisions on the McCormick Ranch Center, where this is located. The architectural review committee is separate from the property owners association. They are governed by separate restrictions.

The original submittal that came in mid-2021 had some real problems. The use changes, the density, the -- just a lot of things that he wanted, we didn't want. We denied it multiple times for the change in use. We denied it -- there were some amendments that he was asking for as well.

I wasn't prepared -- I apologize -- to speak here tonight. Yes, amended development standards and we said we will not approve any amendments. We will not -- there was something about the change in use we said we wouldn't approve any amendments to that either. Where we stand now and this is what I tried to convey to the councilmembers that I spoke with, is that the association -- and these letters should be in your packets.

I saw them online and so I'm assuming you also have them. We did say that we'll approve a change of use and we would approve the development standards that need to be changed in order for this to happen. We have approved that. What we have not approved, McCormick Ranch has not approved is the architectural side of it.

And that's where you keep seeing these changes and a lot of our -- some of our members, it's a density issue. But at this point, the association has approved the change in use, and that letter should inbound your packets. -- should be in your packets.

This was a letter from Scottsdale Ranch and they had concern about the change in use but they don't have a say in this process. Our restrictions are totally separate than theirs. So it did get passed that but as of now, the project couldn't be -- we have not approved it architecturally and that's the main point I tried to get across when I have spoken.

It was too high and too dense and totally out of character for McCormick Ranch that prides ourselves and offers our homeowners open space and harmony and this is completely -- what

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

we saw was not in harmony. And Kurt did come to our office, they were not listening to us, I will tell you that right now. We kept telling them, we put in writing. Clear as day, they were not listening. I have not looked what he brought in today. He might be listening now.

But it makes sense to continue based on the other approvals that they do have, and that's what I think maybe was missed because those two approvals for change of use and the parcel combined are in your packets and I don't know if -- I don't know if they are in your packets. I'm speaking as if you are my board. If you have any questions, I'm happy to address them. Some of our committee members were against the change of use, but it did pass.

[Time: 01:38:25]

Mayor Ortega: Thank you very much, because I know Councilmember Durham had an open question and Councilwoman Whitehead. Does anyone have a direct question? Thank you very much and then we will go to Councilmember Durham and Vice Mayor Caputi.

Councilmember Durham: Thank you. Mr. Jones I raised the issue with the development agreement. We received a number of promises and pledges about how the project is going to operate and if I understand your answer, there's a private agreement that we're not privy to or certainly we have not seen. I haven't seen it, whatever that agreement is so I would like you to address that further.

Kurt Jones: If I could have the Elmo. Mayor and Councilmember Durham. So there's a draft of a declaration with regard to the commit. S we made with records to 10% of those units being affordable. Again, two previous projects you have approved rater densities for five units -- no, seven units and eight units. So 15 total two projects. We are bringing forward a proposal, it's a private agreement.

My understanding is the at the and we haven't approached the city attorney or the staff. We seem to put staff in the middle of affordable housing and it's not zoning or land use. And so what we were committing to as a private declaration that commits the property owner, Scottsdale resident, commits the property opener that will run the apartments mark Taylor, Scottsdale company to commit to this for ten years.

That's affordable units for specific people that were discussed in previous two approvals of this council to pinpoint and we added something that I don't think was included. It doesn't have to be a nurse or the Chompie's deli guy. It could be anyone that works in that vicinity. They have the ability to utilize this private agreement. We think it's better that we enforce it.

We can add a stipulation that we come back to you yearly and demonstrate how we are enforcing it. And penalty if we don't but putting the city in an enforceable position of affordable housing, we felt that that's not what the city wanted. Now, if you want on that, we can get on that and create that document. It's very simple.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

I think there's an enforceability issue to see if that's the role the city wants to play in creating something that benefits the city and benefits this area. And so, again, I don't know of any other projects have done this. I think the first one that came to you. The applicant said I hope this generates more people coming forward with this kind of stuff. I think our client took it to the nth degree. So now you guys have a new threshold. And so we're just trying to create that betterment. We will create a first-class quality project in Scottsdale. It's a beautiful project. I can go through it if you want.

But this document then would hold true to those number of units as a minimum. As a minimum. For the people that work in that area. That's what you -- if the council wants to continue, and for us to put this verbiage in a development agreement, we sure can and we can create something that's acceptable to this council and it's heads and tails above the development.

Councilmember Durham: There's other issues that have been covered in the development agreements as of late, and, for example, Councilmember Whitehead inserted a provision into some previous agreements that would require construction to begin within a stated period. And without a development agreement, I don't think we have any commitment to that effect here, do we?

[Time: 01:43:02]

Kurt Jones: Mayor and Councilmember Durham, that's a great point. No, you don't have that. I didn't hear that that was a concern with this project. If it is, we'll be happy to provide a development agreement that speaks to that issue. We're raring to go.

Councilmember Durham: I think it's a concern on any project. We are very anxious to see projects move ahead. And, again, mayor and Councilmember Durham, we will be happy to put that in any agreement.

Mayor Ortega: Thank you, Vice Mayor Caputi and then Councilwoman Whitehead.

Vice Mayor Caputi: I'm sitting up here, being more and more uncomfortable. We should not regulate from the dais. We have been given so much information that's new and it's hard to make a good decision and if we are forced to make a decision, yes or no, it's probably not going to be the right decision because as everyone mentioned up here, we don't have enough information.

Now things are changing as we go. So again, I'm feeling very uncomfortable. I tell everybody I don't know how I will vote. I'm literally going back and forth, like the devil and the angel on my shoulder, not sure what to do. It seems like we have a great project and it says what we want to do in the character plan and the Shea and the economic development plan.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Again, we have a special center that's been unoccupied for years but it's desperate for revitalization, that's starting to collect homeless people and most importantly it's next to our largest employers and the freeways with no other residences near as has been pointed out on this council so many times. We have a housing crisis.

There's a shortage of every time of housing, all price and income levels. Prices are up. We have the lowest rental vacancy in the century at 4 something percent. We need a variety of housing. That's what we said in our general plan. We are not accessible to new businesses or residents and we can't retain or attract employers or talent or maintain and improve the quality of living for our residents or provide a robust customer base for the small businesses.

We have to approve more quality housing across the price spectrum. We can't make public policy listening to the Nextdoor issues, of course we need to listen to our residents and we always listen to the presidents. But a lot of information -- residents.

But a lot of information and the opinions we are getting are exaggerations to some degree and I think -- you know, I had so many conversations with our traffic department who we will hear from tonight talking about intersection. Yes, it's at capacity and as I started to say, this is the most commercial busy intersection of our city. We have major employers here. Of course, it will be busy at hour.

Our traffic and transportation department will present to us tonight all sorts of suggestions for how to relieve some of that rush hour congestion, which is great. We'll move forward. We are not going to Sop growing because there's rush hour traffic. Traffic is a good thing for our city.] That means we are vibrant and exciting and successful. So our traffic report from tonight actually says that travel demand on most corridors has not grown significantly over the past 20 years even with continued development and redevelopment.

[Time: 01:46:45]

So again maybe there's a disconnect between the facts and what people feel. I don't know. I think having live, work, play options will decrease traffic and technology will decrease traffic and we're trying to, you know, alleviate some of these pinch points which is good. I think -- I had a conversation earlier in the week, with the city manager. 'S a lot of traffic is there's to stores all the way to Fountain Hills there's no other retailers and everyone is accumulating in this one place.

But these ideas that multifamily housing is going to bring crime and the businesses -- you are putting Chompie's and Sprouts out of business. These are the kinds of thing. We can't base our decisions on thing that are not fact. And to me, the facts bear out that this is necessary for our city but, again, we have to listen to the folks. The other comment that kept coming to us, people being irritated that these aren't affordable units, which I don't know what to do with that

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

comment. I think affordable is relative.

It's affordable for the people who will be living and working in that area. Of course, the apartments are not going to be section 8 low-income housing. They are going to be affordable for the people who work there. If people are actually asking us to do low-income housing at that intersection, then we would have to look at a totally different project.

I'm sure we would need much more height and density and lower quality architectural materials and then we could probably produce a low-income rental product there, but that's not what we are giving. We're giving a high-quality building that is going to serve a need and be next to a hospital and freeway. So I'm just -- I honestly don't know how we will vote. If we can't continue and get more information. I feel at a loss.

I think you brought us a good project and you earned the right to continue on and hear more information and I'm feeling awfully frustrated up here. So that's my two cents. Thank you.

Mayor Ortega: Okay. I see Councilwoman Whitehead and Councilmember Durham.

Councilmember Whitehead: I'm a little confused because the council has voted on this project and it's unusual to speak after the vote. I don't know if the procedure allows for another vote. I just wanted to make a couple of comments on this project. I have not been to Nextdoor a single time. I have talked to hundreds of people via email or conversation. And I want to talk about traffic to. So the people that I'm talking to have a very clear idea of what you are asking for Mr. Riggs and they don't approve the height and the density. Many don't approve the use.

This is a PUD that does have an approved residential component and they support that. I want to really stress these are real people. They are not just people who are on Nextdoor and there are many of these people. And I have been talking to them for over a year.

[Time: 01:50:13]

One of the reasons that people don't want this project to be so high and so dense is because of the traffic issue, and the traffic issue is in the book that we are going to discuss next, the transportation action plan. The transportation department is asking us to turn in -- turn one of our most beautiful pedestrian corridors into a four-lane highway. That's to accommodate this higher density, more growth.

So I think what we are looking for is a project that fits the -- fits the community. And fits the density and doesn't then justify the need to widen roads that are beautifully and incredibly well used. Anybody who takes a walk for their dog and bicycle. They can tell you the difference between the two-lane road and four-lane road. I don't ride my bike on Thompson Peak, 100th street, all day long. We don't want to turn Mountain View into a Thompson Peak. So I think these are the issues. These are the issues you have heard. I respect all the effort and I definitely respect the residents. This is not a Nextdoor decision. Thank you.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Mayor Ortega: Okay. I will make a motion and I want to explain something ahead of time. When we sat Mr. Riggs and people would feel our push points and what we felt as representatives of city and council, I kept saying 25 units per acre is my max and you always wanted to exceed that. I always said having housing near the hospital is great. We can agree about that.

I always said that having a streetlight this is safer and I see that is a benefit. But what has happened is it kept getting pushed and pushed and pushed further away by higher density and I'm only one vote up here. It's that clash between what McCormick Ranch was designed to be and actually the low-profile situation that Scottsdale is designed as, versus 60 units an acre. 50, 80, other people have asked for many more.

[Time: 01:53:02]

And then the trick of annexing more property on to this property to make it look as though there was commercial use. I disagree with commercial use being eroded for apartments. It's a national problem with apartments. It's a national shortage. Why is it a shortage? Because housing is too expensive in spite of low-interest rates. The entry level is too difficult. That doesn't make it right.

That doesn't make it -- there is some gouging going on and the rental market rates that make it attractive for investors so when it comes down to it, where you have come in my mind was a long way, but still you never -- and then I quote the general plan saying 25 is cap on high density. People voted on that with the general plan.

Before we had the general plan 2035, anybody could say, well, there's no cap. It's above eight units that's what it says in the general plan of 2001. I respect that we have a guideline. It's not building on something that was broken and had to be repatched together. For that reason, I think we can give guidance to help, but I move that this project be denied the way it is not acceptable, having it open ended and I have tried and spoken with you guys and I'm still hearing, oh, we're going to do 36 units.

If we add on some more property per acre or something like, that or 33. I don't know how to get there with you. And it's, again, the conflict with what McCormick Ranch expects versus the -- the higher formula. Now, I'm a free market person too, but every time you give a subsidy to one, it just raises the rent to somebody else.

So that's where this becomes a problem, where your land bases have to be blended correctly not for 60 units an acre or 50 or 38, or now I think it's 33 or 34, and it keeps getting chipped and shipped. I saw this on greenbelt where they got excessive number of density. That's why I voted against it. So we have to set the rules. The rules, I think can flow better for a positive outcome. That's my motion to deny the case and let them start -- go forward with other criteria they.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Councilmember Janik: I second that.

Kurt Jones: Mr. Mayor, before you call the vote, we would appreciate that you would accept our withdrawal of the case.

Mayor Ortega: We do. We accept that.

Kurt Jones: Thank you very much.

ITEM 14 – COMPREHENSIVE FINANCIAL POLICIES

[Time: 01:56:04]

Mayor Ortega: Okay. Now we will move on to item number 14. Item 14 is the comprehensive financial policies and the presenters are Sonia Andrews, city treasurer. Please proceed.

City Treasurer Sonia Andrews: Good evening mayor, good evening council. Item 14 is on the adoption of the comprehensive financial policies. Next. Next slide. Under item 14, we are asking for approval. Resolution 12384, to adopt the financial policies and ordinance 4534, which simply renumbers the financial policy 21a to the new policy 10 is that referenced. Next slide.

And changes to the financial policies were presented at the January 31st council study session. And for our audience who did not attend or watch the study session, I will provide a very quick recap. We are recommending several changes to our financial policies. First of all, to reorganize and reformat them so they are easier to follow, formalize our financial management practices and clarify any language that may be confusing. Next.

The new policies organized to provide direction to the city staff for sound financial management of the city's finances. Next.

One the more notable changes to our reserve policy. We are recommending increasing the general fund operating reserves from 10% to 20% to align with best practices. We are also recommending creating a new general fund emergency reserves of 5%. Changing our enterprise fund reserves for 25% for water and wastewater and 15% for solid waste and changing out the preserves to 25%. It's to respond to any unexpected events or emergencies. Next.

The other item is the capital. From the direction at the study session, we are proposing transferring 50% of unrestricted construction sales tax from the general fund 1% of interest from the fund eliminating the transfer of the last portion of the food tax and also providing any additional funding as needed throughout the budget process. Next slide.

And finally, the second part of item 14 is as I mentioned earlier, ordinance number 4534. It's simply replaces the reference for financial policy 21 to the new financial policy 10 in ordinance number 4330 which addresses the allocation of tourism development funds. This ordinance

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

does not change the allocation of the funds. It simply changes the reference to the financial policy. And with that, I can answer any questions.

Mayor Ortega: Okay, by process, I will open public comment and I believe I do see two that -- oh, excuse me. I'm sorry. There are none. There are none for public comment. And therefore, I will close public comment.

We have a request to speak, Councilwoman Whitehead and then Councilwoman Littlefield.

Councilmember Whitehead: I just want to, I guess, thank all of us our city treasurer. I think it's important for the public to understand that what we are doing is setting aside a larger safety net, a larger fund.

In the past, we have run into situations that we moved money from sidewalk constructions to bridges that were falling down. This is a step very much in the right direction and I am just very appreciative and glad we are moving in this direction. Thank you.

Mayor Ortega: Councilwoman Littlefield.

[Time: 02:01:02]

Councilmember Littlefield: Thank you, Mayor. And I would like to second what Councilwoman Whitehead said. Thank you very much. I think that was something that needed to be done for quite a while and you did a terrific job on it. Thank you.

I would ask one request is when this is finalized and you have the final papers all set up and in your computer, send me a copy so I have one in my office and I can refer to it when we go through the budgeting process.

City Treasurer Sonia Andrews: Absolutely.

Councilmember Littlefield: Thank you.

Mayor Ortega: Any other comments? With, that I prove to adopt resolution 12384 relating to comprehensive financial policies as the formal guidelines for the city of Scottsdale fy2022-23 financial planning and management and adopt ordinance 12047, and renumbering of the financial policy 21a and policy 10, and provisions of ordinance 4534.

Councilmember Whitehead: Second.

Mayor Ortega: Any discussion? Thank you. Please register your vote. Unanimous. Thank you. At this point, I will reopen the public comment. Public comment is an opportunity for any Scottsdale citizen to come forward and we allow three minutes on any non-agendized item.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

There are none. Therefore, I will close the public comment.

Next, we have receipt of a citizen petition. If any, we do not have -- we have not received a citizen petition. Therefore, I will close that item. Finally, if there are any mayor and council items. Seeing none.

Just so the public knows, we will be adjourning the regular portion of the city council meeting shortly and then we will meet again to convene our work study directly afterwards. So at this point, I would entertain a motion to adjourn. Sorry. To convene -- excuse me, we are just going to recess. We will recess for 15 minutes. Excuse me. I see some smiles out there. We will take a little break. Thank you so much. We do have some -- so we will convene in 15 minutes. Thank you.

[Break]

CALL TO ORDER

[Time: 02:03:43]

Mayor Ortega: I call the February 22, 2022, city council work study session to order. For the record, I note that all members of the council and charter officers are present. Our work study tonight provides a less formal setting for the mayor and the council to discuss specific topics with each other and city staff, and provide staff an opportunity to receive direction from the council to provide an opportunity for the public input to continue easily. We allow for a maximum of five comments from the public.

So on the topic that is as posted. So at this time, I would like to call forward the public comment. And I believe we have three. The subject is transportation. Alex McLaren in person and then Cynthia Winstrom. Thank you for your patience.

Alex McLaren: Good evening, Mayor, Vice Mayor, members of the council. My name is Alex McLaren, 7624 East Osborn Road. As someone who has participated in updating general plans or the transportation element of the general plan, in a number of occasions in the past, I would like to commend the staff and the transportation commission on the transportation action plan that is going to be presented to you tonight.

And if your due deliberation, I would strongly urge you to adopt this plan. The key findings -- these are the key findings that have been listed in the plan, one the ones is the travel demand on most corridors has not grown significantly over the past 20 years. Even with the development that's occurred.

Admittedly, there are places in the city that have differing levels of congestion, but I think that's an overall finding. And most major roadways will be completed by the mid-20 20s. The pandemic and technology have changed likely travel patterns and will continue to do so. So I think it makes sense for the -- for the street classifications to be amended and to kind of right

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

size it.

You will see that when staff does the presentation, there's a discussion of a major arterials and minor arterials and major collectors and minor collectors. So you get into all of that, but I think it's a good idea to right size that. I think in a really good example is McDowell Road, which has been the median has been narrowed in order to add bike lanes and that has worked very well, I think. McDowell looks awesome.

And I'm looking to the Osborn Road streetscape project coming soon with a roundabout near my front door. So I'm looking forward to that. I concur with the transit and the trail recommendations. I think it's very important that our transit service connects to the city of Phoenix and surrounding communities.

Also I agree with the trail system specifically improvements to the Indian bend wash trail. Future funding is going to be an issue and that is discussed in the plan as well. Proposition 400, the half cent sales tax expires at the end of 2025. There's discussion that this could be extended by a vote of the people of Maricopa County, which might occur in 2022 or 2024. There is also the 0.2% sales tax that we have and the 1% sales tax which also expires in '29. So there might be a need for bond elections in the future to fund city contributions to these projects. So after your deliberations, I strongly urge you to adopt this report. Thank you.

Mayor Ortega: Thank you, sir. Cynthia Winstrom. Hello.

[Time: 02:08:22]

Cynthia Winstrom: Good evening, Mayor and councilmembers. Cynthia Winstrom, 7742 East Baker Drive, Scottsdale. Regarding the transportation commission work study this evening, I'm talking about the segment of 128th street that cuts through McDowell Sonoran Preserve and I'm recognizing up front that the road itself is not preserve land.

That said, 128th street does slice through the most vulnerable portion of the preserve. The swath of land known as the Gooseneck and it bisects the wildlife corridor between the north and south sections of McDowell Sonoran Preserve and McDowell Regional Park and further north into Tonto National Forest this critical area allows wildlife movement and gene pool.

If this section of the road is maintained as a minor collector, according to the November 18 reported transportation commission meeting speeds could go as high as 50 miles per hour. These speeds rival Dynamite Boulevard and Rio Verde Drive where McDowell Sonoran conservancy.

Number two, motors in the preserve and preserve curfew. If this is maintained as a minor collector, quoting the same transportation commission meeting, there could be up to 5,000 and 15,000 vehicles here on this road per day. In this 24-hour road that directly impacts animal

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

wildlife movement when they are most active which is sunset to sundown. And finally, point number three, from public safety's perspective, in a written communication from Fire Chief Shannon, he states as long as we have access to whatever ultimately exists between ranch gate and Rio Verde along the 128th street alignment, whether it is a gate or an improved road, we have no concerns.

We can operate on the dirt road as it exists as long as it can support fire trucks and remains approximately a minimum of 16 feet wide, usable surface that will allow type six and type three apparatus access for wildland fire attack. And no locks on ex-end. We don't need an improved road to operate. In the same communication in writing, Police Chief Walther concur with Chief Shannon 100%.

Our needs are very simple. Emergency access for whatever roadway is decided upon. From public safety's perspective, an improved road is not needed for this section of 128th street for fire or police service. In closing, I'm asking city council to take action to amend the designation of this 128th street section from minor collector to a new designation as emergency access only where it passes through Scottsdale's McDowell Sonoran Preserve. I thank you. It's always a pleasure to speak before you. Thank you.

[Time: 02:11:37]

Mayor Ortega: Thank you very much. Now, I will close public comment. So we're considering the draft 2022 transportation action plan. Our presenter is Dave Meinhart, the transportation planning manager. Great to see you.

Dave Meinhart: Thank you, mayor Ortega, members of the city council. It's been quite a while since I have been up here on the dais. So I'm looking forward to visiting with you tonight on discussion of our transportation action plan draft. The proposed transportation action plan very important coordination with the general plan 2035 recently approved by voters.

It is intended to replace the 2016 transportation master plan which replaced the 2008 transportation master plan. So we do try to update these documents from time to time, in the five to ten-year horizon typically. As an action plan, there's reasons that we're looking to do this as an action plan.

The focus is on a ten-year refinement of our existing transportation system. An example of this would be changing street classifications as Mr. McLaren spoke to in public comment to reflect actual travel demand trends in various corridors. We also had a message that's been consistent working with our transportation commission through the entirety of 2021, that this plan focused on emphasizing livable streets and livable communities over rapid traffic throughput.

It's a little bit of a shift in our approach to what we have done here in the past and I have been involved with a number of developments of roadway improvements, lane additions, intersection

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

improvements, where the focus was really mostly on moving people and conveniently through our community.

We are now getting to that point where we have time to rebalance the equation. Some of the factors influenced in the development of the plan over the course of 2021 is that the viability of our existing infrastructure is of the highest priority before looking to add new infrastructure for us to maintain.

As Mr. McLaren also mentioned, travel demand on most corridors has not grown significantly over the past 20 years even with continued development and we demonstrate this and track this by taking traffic counts on a biennial basis on all of our key roadway segments and then we are able to look at trends over time.

[Time: 02:14:21]

Most of our major roadway improvements will be completed by the mid-2020s. A lot of that is through funding that was mentioned earlier as well from Maricopa County Association of Governments, through the arterial life cycle program. We have a little over 1,000 miles, lane miles of collectors and arterials. Less than 55 miles of capacity for travel lanes is left to be built.

Now, some of those travel lanes and roadways aren't necessarily in their final complete street category, but the vast majority -- roughly 5% are left to build as far as our travel lanes. Events in 20-21 have accelerated public demand for non-motorized options. We have seen a return to a little bit more of a norm on the travel in vehicles but continue to see tremendous usage and growth in our bicycle and pedestrian activity.

Many times when I'm out on corridors such as Mountain View Road or granite reef road or a place I ride on my bicycle, I often see more pedestrians and bicycles than automobiles and for me, that's great to see. Technology will certainly continue to change and further reduce traffic congestion issues.

There are all sorts of things that will be coming on the horizon. We have already seen some of that through the use of intelligent transportation system technology, which, again, has worked well for signal coordination, and progression in corridors, but that does tend to focus almost entirely on how easy it is for vehicles to move from one stop light to the next.

If you happen to be on one of the cross streets on a bicycle and you are wondering in the light will ever change for you, part of that is because of that technology, it's given that priority to the vehicles entirely currently.

And within Scottsdale, while we certainly have areas left to redevelop, or even to develop for the first time, especially in the loop 101 corridor, between Scottsdale and Pima roads, for -- our land uses are very well defined compared to most of the cities in our region.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

As I mentioned, we have been working hand in hand with the transportation commission, and the development of this plan has been a partnership between transportation commission and transportation and streets department staff. It's not been a consultant-related effort. It's working in-house using our internal process and working with the transportation commission. We met with them at their December 2021 meeting, they did take a vote recommending that the city council approve the plan.

I'm going to move into the individual elements of the plan and I will be happy to take a pause at the end of each of the element sections to see if there are questions related rather than trying to run you through the entire document at one time. We will start with the street element.

And as noted, the majority of our planned lane capacity is available or programmed in the five-year capital improvement program. The map on the right of the slide shows the roadway, sorry in blue, that are funded for construction improvements in the five-year capital improvement plan, and then what's shown in orange is what's outside of the five-year improvement plan and outside of the Maricopa County Association of Governments Program currently.

[Time: 02:18:14]

Roughly 50 miles of travel capacity left to build. We're estimating that 27 miles of that would be funded by the city and/or future M.A.G. funding sources. 14 lane miles expected to be done by private development and then we have so lane miles where we would be partnering with our jurisdictional neighbors, be it the city of Phoenix, or Maricopa County and some unincorporated areas.

One little note down at the bottom, while we have about 51 lane miles of capacity left to add, we do have a bigger gap in the fee for completion in our sidewalks and bike lanes for our on-street system. Roughly 78 miles of sidewalk gaps and 132 miles of bike lane gap.

Mayor Ortega: Mr. Meinhart, we may have a question from Councilwoman Whitehead.

Councilmember Whitehead: I was going to wait until he's done with this section. I guess -- okay. I will ask my questions.

Mayor Ortega: At this point, I wasn't sure. It popped up here. You tell us when the break points are.

Dave Meinhart: I will pause at the end of the street elements slides and give you plenty of opportunities to ask questions.

Mayor Ortega: Thank you. Thank you.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Dave Meinhart: One the things we wanted to highlight, because it's a key part of the information that we provide to our citizens, our businesses about our plans for our roadways and that's our street classification system, the maps that show is this plan to be six-lane roadway, a four-lane roadway, two-lane roadway, et cetera.

Based on our analysis, we are recommending some changes to our current classification map, and I'm going to highlight a few of the ones that are more likely to jump out at people, I would say.

We have one proposal for a change from a major arterial to minor arterial and I highlighted in yellow the ones I'm going to show in a little bit more detail on the next slide as well and the following. Hayden road from McKellips road on the south end of our city up to Indian School Road.

We have our couplet system here in Old Town that currently it is classified as couplet. It has two lanes in one direction and three lanes the other direction and that depends on whether you are on Goldwater or Drinkwater. We are looking at recommending that those two roadway segments be changed from a minor to a minor arterial, I should say, which would mean that they would end up with four lanes total as opposed to five lanes total.

We have a couple of locations where we're proposing that a minor arterial designation be changed to minor collector. So this would be going from a four-lane roadway concept to a two-lane roadway concept. One is up in far north part of town, Westland Drive between Scottsdale Road and Hayden.

[Time: 02:21:17]

We already had changed the designation on the segment of Westland between Hayden over to Pima Road. I believe that was as far back as 2008 to a minor collector and we're just recommending that that configuration would be the preferred configuration all the way to Scottsdale Road. And then item two is a slight edit from what was in your pocket -- packet.

I was doing some checking on things last week and realized that bell road from Thompson Peak parkway east to roughly 105th street, the designation had changed to minor arterial in 2016. It had been minor collector in 2008, but there's no need because we have a preserve on the north side of that roadway and the east end of that roadway to not go back to the 2008 designation. Then Bell Road loops around and becomes McDowell Mountain Road, and it connects down to 105th street McDowell many the road.

We are proposing the loop from bell road east and then it comes back down to the south to about 105th street, that would be eligible to be reclassified to a two-lane roadway. Now, I did want to mention a couple more details open the thought process on a few -- on the thought

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

process on a few of these segments.

You can understand what goes into the recommendations. We mentioned Hayden Road, McKellips Road on the south boundary and up to Indian School Road. We looked at this segment or this section first because, in fact, it's very challenging corridor. As a cyclist or as a pedestrian, the picture on the bottom right shows the typical existing condition. Six travel lanes, either a center turn lane or a median. No bike lanes.

The sidewalks or typically immediately back of curb except where some of the newer development has gone in over the last five years or so. So we have a situation where oftentimes we have a sidewalk that's maybe 5 feet wide that's right back of the curb of a roadway where vehicles are often driving 50 miles per hour or thereabouts. We looked at the travel demand over time on this corridor.

On the left of the graph, for those of us who have been around a while, we recognize that what was going on this corridor back then. We had no freeway. So Hayden road was a very popular corridor for people to use. Pima road as well and Scottsdale Road. Hayden road peaked out in 1998 down in the Indian School vicinity at over 70,000 cars a day.

If you go out to the right of the graph, this goes through 2018. We have 2020, but I'm hesitant to use it, because there's a few other things that went on during that counting period that tended it not make us real comfortable that we were getting good, accurate numbers with you will a -- with all the shutdowns and everything else.

[Time: 02:24:38]

But 2018, the traffic on Indian School is at 30,000 vehicles per day on average. If you look over time, once the freeway was open and people were used to having it, very little change on this -- the yellow line is at Indian School. The blue line is actually up at Camelback.

We are not proposing the changes quite that far north and then the gray line is Thomas Road and the orange is at McDowell road. But the same pattern in all of these that we really -- since the freeway is open, we have had a very consistent travel patterns. We did also take advantage of the freeway being open to add significant amount of capacity at intersections open the Hayden road corridor.

We have added turn bays at McDowell Road, at Thomas road, at Indian School Road, actually at Camelback Road, at McDonald road drive, at Indian bend, at Shea boulevard, at cactus road. So that was one of the things that was really helpful when the freeway opened, it gave us an opportunity to do some of these kind of capacity safety improvements at intersections that we may not have been able to do otherwise.

My estimate be that in the time that I have been working on our capital transportation

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

programs since about 2000. The signalized intersections with one mild grid crossings, as well as safety improvements, right turn bays, left turn bays, we probably added 200, 250 turn bays in the city in the last 20 years which is one of the reasons why it is pretty easy to move around in most parts of town and in most times of day.

As we discussed earlier tonight, there are some parts of town where it's not quite as easy to move, but the trends have shown that there's not been any dramatic change in that and me personally as a resident close to the project you were talking about earlier today, 23 years just on the west side of loop 101 off of Shea boulevard, it's pretty much the same passing through there now since 23 years ago. It's busy.

Some of us don't go on it when we don't have to, but, yeah, that's the types of things we are looking at, where we haven't seen any real change in patterns and if we have some excess capacity, the note here is that we look at the capacity of a roadway typically per lane being roughly 8,000 to 10,000 vehicles a day. Some go as low as 7,000. Usually those are folks who like to build a lot of pavement.

[Time: 02:27:29]

I tend to look at a little more conservative approach from the standpoint of not overbuilding pavement. As you will see later in my presentation, there have been several places in town where we have really overbuilt our pavement. And that may come as a surprise to some of the folks who are watching this but what we see happen in several corridors.

Moving on to Goldwater and Drinkwater couplet. Goldwater on the east and Drinkwater on the west. This graph is a little funny because we didn't have as much of a breakdown in our data collection back in the 1998 to 2002 time frame. You just see this one line and then it breaks into two lines.

It just shows that we did end up refining and adding clarity to that information on this corridors. And, again, what we see is that over time, travel on Goldwater here on the top graph and Drinkwater on the bottom graph have been pretty -- well, sorry about that. They have been pretty steady.

This is from the MAG, we may see sizable growth from a little under 20,000 to over 30,000 vehicles a day, on the section of Goldwater boulevard that is between Indian School and Camelback. We may see that. What we tended to see over time in my projections that is sometimes they are close. Sometimes they are not. Because they are projections. And we're looking well out.

We have been lucky to have them on the data that we collect on you are our traffic counts over time. Many corridors we actually updated on segments going back into the 1980s. We have a really good idea of what has really been happening as opposed to just looking at what the

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

computer model thinks might happen and we do have challenges with not being right in the heart of that -- of the MAG region.

These models tend to get fuzzier, the farther you get from the heart of the region typically. They are better than they used to be, I will actually admit that, but I will take 20 years' worth of real data over time over a 20-year forecast for building my assessment of what I think we would need.

Just picture on the bottom right of an example of where we have the three lanes northbound on Drinkwater Boulevard. With the concept of a collector, a first step is concerting that curb lane on the right side into what would typically be like a painted buffered bike lane. We did this on Indian School Road about a year and a half ago now, west of the Goldwater boulevard over towards 68th street or 64th street and it's worked very well. Some additional discussion on the street classification changes.

[Time: 02:30:50]

We have 11 segments where we're proposing changing from a four-lane major collector to a two-lane minor collector. Those would typically still have a center turn lane associated with them. They are all listed in your packet. And then on minor collectors we do also propose a second designation, which would be going away from our one size fits all of a drive lane each direction with the continuous center turn lane, sometimes with a median, but usually just a continuous center turn lane to a new classification that would be minor collectors with no center turn lane, where we just don't see that there's enough volume and demand for turning movements to where we expect, indeed the benefit of the center turn lane and what you can do then is reclaim some of that pavement to do things again like -- like add bike lanes maybe if there weren't any at all or if there are, you can improve those bike lanes typically by buffering them.

The picture on the right, which I tend to refer to as the spaghetti bowl is just an area on the top is the horizon park vicinity. West is the freeway, south Thunderbird Road. And then you've got Frank Lloyd Wright kind of cutting here, 100th street. I apologize. I'm not used to this touchy mouse, I guess. As I was mentioning earlier, there are some parts of town, this is the prime example where a lot of pavement was put in assuming that there would be tremendous demand for that pavement, apparently.

I think there was a lot of expectation that there would be more employment in this area, maybe not quite as much housing. Most of the employment went to the freeway or immediately west of the freeway to the airpark. And this is primarily a mix of single family and multifamily residential.

But all of these streets and they are highlighted in yellow, are the streets where the maximum counts we have per day are about 9,000 on the -- on the one segment of 100th street from

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Thompson Peak Parkway up around to Frank Lloyd Wright Boulevard. Then you get into other segments, 92nd street is an example, going forth from Raintree, roughly 2,000 cars per day and we are right now providing four travel lanes plus a center turn lane in most cases on these roadways, where you could easily move 15,000 cars a day or a little bit more on just two lanes. That's why we really see these streets as major opportunities to change the character of this area to one that is not just barriers of pavement between neighborhoods but at least as a first step, could you turn the curb lanes into buffered bike lanes.

There are people like me who will ride much any bike lane but data that's been collected by numerous sources over the years suggests that there's maybe 10%, a little bit more of bike riders are comfortable riding in just a bike lane. You -- bike lanes. You add buffers and physical barriers, that number can jump to 50% or more.

[Time: 02:34:36]

So that's one of the reasons that we're looking at how we can reclaim some of these lanes. We're almost through the street element, I promise. It is the longest part of the presentation because it's the one that affects the most people. This is just one example of what I have been talking about, the opportunities that you can take advantage of if you have excess pavement that's not really needed.

This is 124th street north of Via Linda, where it heads up towards the lost dog wash trailhead. The changes don't go quite that far north but they stop short of the elementary school that's on that corridor. And the photo on the left shows a classic for lack of a better term, maimer collector cross -- major collector cross section. Two travel lanes in each direction.

This was installed when bike lanes had become part of the city standard. We went to the council in fall of 2020. The dates fall apart for me in the COVID. I can't remember when we meet or not. Actually, it was fall of -- it must have been fall of '19. I think there might have been people there in person, but we asked for some amendments to the 2016 transportation plan that would help facilitate some of these changes when we were getting ready to do resurfacing of the pavement. And what we were approved for from the council at that point was to change the classification to a minor collector.

That allowed us to take the five lane cross-section and turn it into a three-lane cross-section and in this case because there was quite a bit of pavement with a wide buffered bike lane which provides really strong separation between the bikes and drivers and it's an area near an elementary school. It seemed like a win/win for us.

The much more advanced approach to modifying a street, if you change the classification, is what was done on a portion of 96th street and Sweetwater Ranch. This project is near and dear to my heart. I was the one who recommended we consider this idea, and it took a while to get folks on board with that idea, but I think the result has been pretty fantastic, from my

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

perspective.

Again, with he had five lanes of asphalt here. There was not room at that point for bike lanes. We probably could have gotten them by the travel lanes. What we ended up in the after here is what we would call a road diet where you shrink the amount of pavement in the corridor.

Obviously, these are far more expensive than what -- the example I showed you earlier which we call a paint diet. And the paint diets do also give you some flexibility in case you with respect as right as you thought you would be on what the future would hold, but this one is, again, an example of what can be done in a neighborhood if you have the resources to reclaim the pavement entirely.

And the spaghetti bowl, you could justify doing this on every single one of those yellow lines that I showed you. Again, just finishing up on a couple more slides on streets. Again, this is just an example of showing minor collector, converting it from a standard to one with no center turn lanes.

[Time: 02:38:21]

This one happens to be part of Raintree Drive where just to the west of 100th street, but, again, this was a corridor where we didn't have bike lanes previously. By eliminating the center turn lane, we are able to not only add a bike lane, but add a hatched out buffer as well.

So it's just an example and, again, we have 39 segments we have identified where this type of opportunity could be taken. On the right and obviously in the packet in the draft plan, the updated functional classification would reflect the changes I reviewed with you.

I did want to touch on a couple of last things in the street side one is right-of-way widths. We have always had standards for different types of road classifications on what -- how much right-of-way you would typically use.

Those have changed over time, but the currents are major arterial is 150 feet total from the center line, minor arterial 110, and major collector is typically 90 and then drops down to depending on location, 60 or 70 for a minor collector. Because we are making adjustments here, and we have already gotten the right-of-way dedicated for many of these roadway corridors and they are built out, I wanted to actually map and have as part of this plan the council's approval of the rights way widths so it can maintain a consistent back of right-of-way edge going forward.

We can help to support scenic corridor guidelines in the northern part of town and try to be ahead of the possibility of somebody came in on a corridor and said we changed it from a four lane to a two-lane, and they had a redevelopment plan and said, well, can I also get back 20 feet of right-of-way in order to facilitate my project.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

So we are trying to set the right-of-way widths in an adopted plan for the first time. And then I'm pretty sure there is my last slide on street element. Let me double check that real quick. One of the things that comes up often on our projects is the issue of will you do noise mitigation or not. And we have done a few noise walls in the city.

The only one that was really tied to a roadway widening project is on Pima road south of Pinnacle Peak Road in that corridor, there were some wallows that were put in on the west side of the road. The city discussed the noise policy for several years regarding roadway impacts. There was a plan -- or a policy approved by city council back in I believe 2011 that set a standard of 64 decibels as your primary criteria for when you would look at considering mitigation or not.

[Time: 02:41:25]

There's a secondary criteria of if the post-construction roadway noise looking out into the future, with like a 2040 forecast would increase more than 15 decibels over the current. Decibels, it usually takes about three decibels to notice the change and 10 to notice the change. With we set up the noise policy back in the day, at 64 decibels we were following ADOT's policy which is a 64 decibels.

Back in 2017, ADOT at the direction, I will say, of Federal Highway Administration said -- they basically told all the states you can't have a mitigation criteria that's lower on the decibel level than the federal level because some of these projects have federal funding brought into them. So ADOT has now go to the 67-decibel level and we're proposing in the draft plan that the city would consider doing that as well through a modification to our existing noise mitigation policy. And that is my last street elements slide. I will definitely stop here.

Mayor Ortega: Thank you very much. I will go to Councilwoman Whitehead.

Councilmember Whitehead: Okay. Thank you. So I read it a while ago and then I reread this plan again last night. I really -- like, I really enjoyed reading this plan. I thought, gee, I would like to live in that city. I would like to commend everybody. It's just a nice plan.

So I do have some quick questions because it's kind of running late tonight. I think that one of my questions -- let's get to those. I think you answered the quo, when we convert and we go from major to minor collector, you are going to give them paint diets is that what I understand and then down the road, we do that -- that 96th street is 'and dear to my heart too.

Dave Meinhart: Mayor Ortega, Councilmember Whitehead, that's the way we are looking at this. We now have a five-year paving plan that is based on technical analysis of the roadway conditions. And we're in the process of kind of marrying up that paving plan with proposed changes in classifications where we can coordinate those with the paint diet approach and doing it in the most cost-effective manner possible which is when you are resurfacing the roadway because you basically have to obliterate all the existing striping when you do that anyhow.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

So that's the first approach. Looking at the longer term for the 96 type examples, that would certainly require some consideration of the funding sources and how that would be done. Certainly, it could be in future capital projects. Each of those has a price to it.

And if you are weighing adding capacity versus modifying existing at least to date, 96 is the only example where we've chose making the street more comfortable.

[Time: 02:44:46]

Councilmember Whitehead: I'm fine with that. I want to explain, I think you will save just by making these changes and do the paint diet, you will save a lot of dollars from the police department, because the police department is constantly stuck monitoring. Mean, it's just like a raceway. It's just built like a raceway. I think the paint diet is a great first step.

The projects on the back, you itemized the street projects on the back, and some are within the next tax. The prop 400 extension. So all of these projects here, all the street projects in the back, they can't begin without the tax, is that my understanding?

Dave Meinhart: Mayor Ortega, Councilwoman Whitehead, the items that are listed in our implementation section, which I will touch on a little bit but not in great detail. There's a lengthy list of projects or project concepts. None of them become projects until the budgets and the public outreach is green. The green is proposed Proposition 400. That has to go to the voters.

Actual projects still don't go forward without the citizen input. And I can vouch that we have adjusted the scopes on many project over the years that reflected different realities or the concerns of neighborhoods involved.

Councilmember Whitehead: I guess I will be really specific with my question. The ones that aren't in green really -- those are pretty far out because I'm interested in sidewalks from -- and I sent that email, sidewalks from Camelback at 68th street. By the way, I want to compliment you on 68th street. Resident there told me the changes you Ma Ed when you fixed -- you made when you fixed the bridge has made the traffic flow much better. So thank you for that. But sidewalks, any I'm line on that.

Dave Meinhart: Mayor Ortega, Councilwoman Whitehead, we intentionally whether the project has a green or a -- or is in white background, we didn't put a priority to those because we need to look and being flexible.

We try to prioritize a long list of projects and we made progress on the projects but we didn't necessarily follow that order. It just doesn't work out that way, different funding sources, grants might come forward anything that's shown, whether it's green or white is stuff we are trying to find funding for over the next ten years.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

We will be successful in some, but maybe some not. We have had success working with MAG on adjusting which projects you end up do. The MAG plan, it's a little different there, I must admit. The ones that are highlighted in green, that's based on a 25-year horizon for funding.

So there's some of the corridors that have been brought up that maybe right now MAG has programmed, it's on the list, but it's the 2040 to 2050 timeline. So I wish I was going to be here to help decide that, but I don't think I will be. Having inherited by what was identified by others that went into the existing regional plan. Adjustments will be made. Can't neatly program something for 25 years unless you are in a totalitarian country.

[Time: 02:48:46]

Councilmember Whitehead: I'm trying to figure out how to answer constituents when will this be done? I think we will just say, we're working on it. So two changes take love, like I said all the streets, I went through all the reduction streets. I think you are right on. Of course.

I cannot even begin to speak -- I think Commissioner Winstrom has left. I can't repeat what she said better than what she said it. I will ask for the 128th alignment south of Dynamite to be amended to be a -- an emergency access only road in this plan, and I'm not going to -- and I will quote you.

You said we are looking for livable streets and that includes critters. And the other thing that I have gotten feedback and you know this. The McCormick Ranch and Scottsdale Ranch to extend Mountain View Road from 96th to 92nd from a two to four-lane road. So those are two things that I oppose in this plan, but I think otherwise, it's very nice and I have another comment on paths.

Mayor Ortega: We have Vice Mayor Caputi and Janik.

Vice Mayor Caputi: I enjoyed reading through this plan and having the conversations with the department, even before this work study. I wanted to make a couple of comments. I love that word road diet and I think it's important to remember that word, road diet. The things I heard when I first read this plan which I found shocking, and I still do. You said in 20 years of real data.

So we have 20 years of real data and you found that residential use is much less. All of those roads that were mostly residential have used far less traffic, which comes up on this council and travel demand has not grown significantly over the past 20 years even with continued development and redevelopment.

We are all tired and we are kind of sloughing over that. I want to read that again. I think that is so significant especially coming on the back of conversation that we just had. There seems to be a disconnect. The facts, the 20-year facts is that travel demand on most corridors of the city has

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

not grown significantly over 20 years even with the tipped development and -- continued development and the redevelopment we had.

We talked about the 101 being built. Roads are being brought down from six lanes to four lanes, being made smaller and prettier and expanding for bike lanes and pedestrian lanes which is awesome. I feel like there's a disconnect between the facts we are being presented and the buzz out there. The whole work study is about how to decrease the existing infrastructure, right?

I don't know what I'm necessarily looking for other than I feel frustrated with this lack of -- with the facts not matching the conversation and I don't know what we need to do to make that better, but I appreciate this presentation because it certainly clarified a lot of things for me. So thank you. I look forward to hearing more about that comment about people not wanting Mountain View expanded. That confuses me and I want to circle back to that later as well. Because if we do have too much traffic on that Shea corridor, which I think everyone seems to be saying, especially in the one block where people first get off the freeway at rush hour, it can be a little bogged down, then to me the solution would certainly be to find other places to alleviate that blockage, right?

[Time: 02:52:46]

We don't want to make it worse. We want to find ways to make it better. I would like to hear some ideas in how to do that. If everyone is complaining, why don't we find a solution for it. People are complaining about not enough roads or capacity at that intersection. I think we should address it.

Dave Meinhart: If I can respond, mayor Ortega, vice mayor Caputi. The idea of possibly changing things on Mountain View is something we started thinking about. What we actually do, but in 2018. And the whole focus was as we have seen, traffic has not grown on Shea but it's very busy between the freeway and 92nd street. East of 92nd street is a two decade plus user, I can say that it's not an issue for traffic but near the freeway, it is. And what we started looking at is, well, we have Mountain View Road goes through my neighborhood, McCormick Ranch. And it stars about 13,000 cars a day. It was designed for 30,000.

Can we make it more convenient for people to use that corridor that don't really need to be on Shea to go east-west. So we started thinking about things like roundabouts at 90th street and Mountain View and 92nd and Mountain View, 96th street and Mountain View and then also maybe one at 96th and Via Linda. Some of those ideas are included in the implementation program for potential projects I believe it was 2019. It may have been 2020. Those two years blend for me.

MAG said we have a call for projects to put into the future proposition 400. We need all of your submittals in 45 days. So we worked on things that we had a decent understanding of and the one little section of Mountain View which I ride on my bike four times a week. Well, if there

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

ended up being enough demand long term, would you consider modifying that? Is it my first choice? No.

We didn't recommend changing the classification of that section of Mountain View as part of this plan. Maybe in the future but no changes to that road would happen without a change to the classification first. We worked on these ideas back in 2018. If you want some exciting reading, check out my presentation to the transportation commission from I think it was either August or September of that year. But then again, we got squeezed in a short timeline to come up with concept.

And part of the whole horse trading with MAG, you have to get projects on their list and get some funding and then you can start to work over time as to whether that's really the pest project or not. But the a few things would be helpful like roundabouts at the 90th and theoretically you could drive from 96th street to Mountain View corridor and Scottsdale Road and have one stop light.

Vice Mayor Caputi: It's just great that you are being creative. The whole another of changing it from a master plan to transportation plan. We are adjusting as we need. Well done. Thank you.

Mayor Ortega: Councilwoman Janik the Councilwoman Littlefield

[Time: 02:56:45]

Councilmember Janik: I have two questions for clarification. This number one, it's my understanding that with the buffered lanes, the width of them varies based on how much space there is and it could be some type of landscaping or physical barrier. Am I correct on that?

Dave Meinhart: Mayor Ortega, Councilmember Janik, yes, you are correct. To paint -- if it's a painted buffer, kind of the national standards are that you would not paint that, if you can't make it at least 2 feet in width and typically a 2-foot in width, it doesn't include the cross-hatching but once you get wider than that, you will typically add the cross-hatching and yes, the width is just a function of how much pavement we have available to reuse.

Councilmember Janik: Okay. Is there a standard width for the bike lines throughout the city or is does that vary depending how much lane there is?

Dave Meinhart: The bike lane standard has minor collectors is still at 4 feet and it's at 5 feet on our four-lane and 6 lane roadways. That's exclusive of the gutter next to the curb. Back in the day, gutter used to count but if you try to use it, good luck.

Councilmember Janik: Thank you.

Mayor Ortega: Councilwoman Littlefield.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Councilmember Littlefield: You're right, gutter doesn't count. It used to be the bike lane and on a sidenote it acted as a gutter. I would like to make a couple of comments. I agree with Ms. Winston about 128th street. We need to make that emergency access only. Lock it down. Police and fire are fine with that.

I had a number of conversations with folks here in the city, that are very concerned about that goose neck in the preserve because it's the only way the animals can cross. So I would very much support that. The other thing is just like a bike lane you said, drivers aren't real comfortable with that either.

As you are driving along and people are basically riding their bikes in the gutter, you have no idea what they are going to do next. I have seen more cars go towards the center of the road trying to miss the bikes and then you have a problem going back and forth in the center of the road, because there's more than one car there. So I would I really do like the idea of bike lanes and making them safe.

[Time: 02:59:39]

I have a little bit of a problem with travel lanes that are of various width because people get used to one thing that's near them, where they are all the time and expect that to be the throughout the city. So I would prefer as much as we can, but to have a standard width for a bike lane, the walking sidewalk that we, have but I worry that people will expect it to be wider or narrower than it actually and then you end up with problems. I to like the action plan idea. I think that's a good one.

I like the idea of narrowing the streets where we can do, it but I don't want to just narrow streets to narrow streets. So there has to be a time frame that we can adjust to and say, this could be good for at least the next ten years or something. I don't want tore tearing up the street or reducing the street and then having to go back and widen it again and then you have a lot of problems if you do that. It has to be some sort of standard usage and discussion with citizens. We just reduced this street to two lanes? And it's and rush hour traffic.

People are not always in the same thought process of long-term frame and then you have people who just don't drive very carefully and they expect the road to be some width or accidents and then you have idiots to drive around shooting things and right-of-way, it should be consistent in the analysis. I don't like the idea of bus rapid transit it Scottsdale for the same way I don't like light rail. The citizens don't want it.

They don't want dedicated rubber tire bus rapid transit because that dedicated an entire lane and they don't want that. Keep the right-of-way with the map. And bus and trolley systems are good. I think people as they get out and about, they will use that more. I know people are still kind of in lockdown a little bit from COVID, but from what I have seen in a lot of extraneous

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

things and talking to folks they are getting really tires of it.

I think we can pretty much expect to see some of that dissipating and people getting out and doing more stuff. Even my sister is doing that. So it kind of -- I think we are moving in that direction. So I think the last year, two years, three years have been in lockdown. You expect transportation to reduce but I think we will get back into the normals that we had at least before COVID, and if not more than that, because we have more people here. So people are ready to get out. They are climbing the walls and I think we need to take that into consideration.

I like the ADA plans. Go with the regulation requirements I think that those are safety rules that we all need to obey. I like the wide sidewalks the 6 to 8-foot. I like that because we are an older generation. Our people like to take walks. They like to move out. They like the trees and plants but they want to have space because they are not moving always fast sometimes. They are in walkers. Sometimes they are in wheelchairs.

[Time: 03:03:47]

So we have to make sure that we give adequate width to our sidewalks to accommodate that. I have seen some of that in my own neighborhood and it's really important that they have that when they are -- especially when they are in the street as opposed to a sidewalk. And that needs to have an actual width there for them. I have no problem with wider sidewalks, better bike lanes. I think we all like that, and we all appreciate that.

But I don't want to be in the position of reducing the number of lanes over our roads for the cars. And then for the next -- you know, within the next ten years we got to put it back. That's going to be confusing and expensive. Can we do it by project into the future? Because I think that is how we will get more accuracy and better use of our dollars. This is not cheap.

So those are basically the biggest points that I think I had. I don't support the road lanes reductions if they aren't good for at least ten years. I don't want to have to do that over. I like what you have done. I have seen some of the things that you have mentioned. I'm a little bit concerned about some of the reductions but, you know, I'm not a traffic engineer. So we'll go with it. Thank you.

Dave Meinhart: Thank you, Councilwoman Littlefield.

Mayor Ortega: Very intriguing presentation.

Dave Meinhart: I have more too.

Mayor Ortega: And you held back. I know you summarized and it's great to have the enthusiasm for the roads more traveled than less traveled. So I have a few points to make. First of all, so many of the transportation files also solve drainage problems. And that's something that's

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

unspoken but there are drainage solutions that are built into all of these improvements and when a street is widened there were provisions made for carrying the water and if there is a change, I'm not as prone to caring out the curb and the sidewalk and narrowing.

The I want to mention the study of using white paint open roadways for sustainability or to reduce heat gain. I think that could be something that would be substantive input. Somewhere around '90 -- I think the year 2005, Arizona shifted from capital investment for new roads being greater than 50%, to maintenance being greater than 50%.

And Scottsdale, as you said, we're probably 95% there on build-out and then we have you know, a smaller percentage of new roadways. So means the actual expense is going to be for maintenance and improvement. So looking at now from the big picture down to the -- still at the large picture, you know, the Shea corridor is the evacuation, emergency corridor for the county. It's set up that way for evacuation purposed and that's not going to be reduced by any means. The other thing is that although we have talked about what the load was in 2002 and 2003, because I was there when we cut the ribbon as a councilman we cut the ribbon on the 101. We had skateboarders there and balloons and all that. And that changed our world, right?

[Time: 03:08:19]

Scottsdale at that point got a new moniker. We are the west most western town, but it also said Scottsdale next 15 exits and that's a new moniker that people see 100,000 times a day if they are coming west on the 101 before it turns or going north. Which is actually an advantage because we do have such a long spine versus other more compact cities, let's say which have just may have only eight exits in their city.

So getting to the smaller -- well, again, it is large scale of questions here, all the transportation elements have to have an education element and signage or programs outreach, working with the P.D., parks and recs, all of that is maybe a smaller part of it, but I'm sure you have that I remember when robin and others were involved with that.

And that's how we get into the very title area because it's pretty sad when you have a Sunday, you know, crash on Scottsdale Road. There's no snow, ice, or really problems but people have not really watched out for themselves and others and you end up with pretty much a tragedy. The other one, looking at the big one and then I will get to the small one. Pedestrian safety.

Pedestrian safety is -- we get so tuned into making sure that those cars can zip through and the bike safety is critical at intersections and that's when it widens for the decel lane and the turning lanes and there's confusion where the bike lane ends and you have to ease over to turn right. And that's an area this is of concern. So it's kind of a red zone and then a danger zone for -- I mentioned today about the hijacking or the blocking of our intersection for that group that was road basing and, you know, that criminal behavior. And then there was a shooting after that.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Well, I expect that the P.D. and transportation should either get some red alerts going on or something blinking when things get offset so much. And, you know, everything is so timed that when you have that kind of interruption it really needs to be reset and that's not only a dangerous fatality other but it's also criminal. We got to watch out for that.

Finally, there's another subject that is pedal craft, the bike in the front and three and three and -- they are pedaling around a lot, and it's generally in the interior of Old Town. And it's recreation, slow pretty much. I want to point out that the real squeeze that we have in the Old Town area and this council, I believe, it was perhaps late November, we approved the bike path setup.

Dave Meinhart: Old Town bike plan.

Mayor Ortega: Old Town bike plan. What I noted with that was, of course, the only place to bike safely when you have angle parking in opposing directions on Fifth Avenue, main street, craftsman court, all of those places.

[Time: 03:12:33]

The only safe place for the bike is the center of that lane and we discussed that. What that does is, you know if it were next to the tail of the car, you would be crushed because you wouldn't be able to see it in time. Some of the bigger SUVs and so forth, you cannot really see as you are backing up.

I have been in the downtown area for 40 years and I use the reflections of stores so I can use that as a periscope to see what is coming, but you are still kind of guessing. The point I want to make here is the Old Town area, the Old Town character area plan between Camelback and Indian School and Indian School to Osborn, when the directional marking that you have, it's in my opinion not a street.

It's a stop and go parking lot what is happening is we want to encourage people to go there and shop, but it was never designed, per se as a street. And when I see developers projecting 4,000 cars, when you look at what we have approved with safe bike path or pedal craft or whatever it is, then in actuality, the flow in that area is almost like a Safeway parking lot. It's not a normal width parallel parking even wouldn't help it at all. We designed it -- it was designed that way. We live with it.

We love it, because people will get in, shop, and customers should be first priority and workers should park somewhere else so they can actually earn a living there. But nevertheless, I don't think there a category for Old Town parking, and I think there should be. I think it's actually not a street. A street in my residential neighborhood carries more traffic than the serving all of those stores and businesses 200 or 300 stores. That's the way it's laid out.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

We have three-hour limited parking and the Zipcars and Ubers and all of that. So it it's what people want when we get into the Old Town area. You worry about a place until you find it and then you are so happy and I will get out and have a good time. We need to augment some parking in the Old Town area and I think we need to get a re-evaluation of what a true capacity is and when I speak with developers, it's easier to get access off of Indian School directly or maybe Scottsdale Road directly, but if you try to go internal and traffic into a 2,000 or 800 unit parking garage, it's not going to work because you will have to go through Fifth Avenue or Stetson and so forth.

[Time: 03:16:22]

I encourage use of the couplet. We were there when they built it and it's always been underutilized, but I think that's really where the growth, the density should be in the outer area and then maybe the inner more walkable. So -- the specialized areas are, in my opinion -- you know, people will say is Scottsdale over retail? Well, Old Town we want it that way. It's meant that way. It's energetic.

And, yes, it does wear out and need to be replaced but you can't just rip out the structure that's -- or try to cram more cars into that area because it will go gridlock. And that's the mechanics of what, you know, I have experienced as an architect for a long time. So we should not over squeeze the Fifth Avenue and the Old Town character plan. Thank goodness, there's no more hands up.

Dave Meinhart: I have a lot more to give.

Mayor Ortega: I really appreciate you hearing me out, you know. I think it's great your enthusiasm. I have seen the MAG numbers because I was on the transportation group. And they show a lot of gridlock. We will ask for consensus. We have an appreciation of your work and please take notes of what we have --

Dave Meinhart: I certainly have. I do have other elements to go through.

Mayor Ortega: Well, okay. Now you can continue.

Dave Meinhart: We can go through part of it. I had a sidenote on the MAG forecast. I checked into how they related it and that was assuming that basically no money was being spent legally on transportation improvements over the next 25 years. They wanted, I guess to put real -- I won't comment on what I think the right word is. As a manner, I wouldn't have done that, the way they set it up.

Mayor Ortega: I remember and I mentioned that to you. When you Zoomed it, it showed total gridlock.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Dave Meinhart: The entire region.

Mayor Ortega: Exactly, Scottsdale was entire red zone.

Dave Meinhart: Virtually every street in the Phoenix metropolitan area showed up in red on that particular slide.

Mayor Ortega: Please continue.

Dave Meinhart: We will move into the transit element. Just a quick recap of what our system currently is. The map on the left with the existing fixed routes. Those are the ones we tract with either valley metro or city of Phoenix to provide the service. They also are the routes that the regional transportation taxes contribute to. Mostly on -- I did want to note one of the goals in our plan and kind of it's a directive that we propose in our implementation plan is that if we do put out transit service, be it a new fixed route, an extension of a fixed route or a trolley route that we would not put out service that didn't go at least every thirty minutes.

[Time: 03:19:59]

In the past, there were 45 minutes. There were a small number of people who benefit from them, but it ends up costing \$20 or \$25 per trip which is like dial-a-ride costs. That's one the key elements for us. We want to make sure it's quality. 30 minutes is outside edge. And 10 minute is when you don't need a bus book or a schedule anymore. 15 minute is close.

We tried some services I believe at 10-minute on Scottsdale Road corridor or may have been 15 but we didn't get the ridership. Maybe we will in the future but it's something that we monitor. At the send of the day. We want to make sure that what we put out can be coming by at least every 30 minutes. We have one express route coming out of the Mustang transit center up near Scottsdale Road and Shea boulevard and 90th street, our three trolley routes which are offered on 20 minute service under limited hours.

We have to go back to the full hours we had prior to the COVID situation. And then we have paratransit service. And then proposed routes of service. On the trolley service, try to reinstate some of those hours that we lost beginning with the evening hours or the weekend. We would like to provide a proper span of service, but obviously, it's tied to what our finances are and what our ridership is looking like.

We would like to try to make some additional connections on that trolley service, the target area initial is McDowell Mountain vicinity aquatics and the Arabian library and desert canyon middle school in that area as well, that is kind of up in this area here.

We talked a little bit about regional connectivity and that we want to continue to work with our partners, Phoenix, and Tempe, where most of our routes are originating from or starting from.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Implementing an express route to downtown Phoenix, using the 101. That's one the things we did submit to MAG for an extension. It did not make the cut because we thought we needed to have a -- it would work best if you had an HOV direct ramp connection that would go from the HOV southbound to the 101 to the HOV westbound on the 202.

Up fortunately when they did their analysis -- unfortunately when they did their analysis, Tempe asked for the same thing coming from the south and they felt there was greater demanding coming out of the southeast valley and the way that interchange is setup, they didn't think they could do it both directions.

So I'm not sure exactly what that will mean in the long term but things change. We will tip to look at that. Idea there was a comment regarding BRT on Scottsdale Road corridor. There is a proposed project that's funded for a bus rapid transit improvement on Scottsdale/rural road that would go as far north as Camelback Road at the fashion square and continue south to the fashion mall.

I'm not sure what the exact term is in Chandler. There is funding identified for that. It's in the first phase of that program but we have a lot of evaluation to do and conversations with citizens and council before we make any final recommendations on that. But we want to continue to at least look at that option.

And I think that's all I have on my transit slides. If there's any comments we haven't already had submitted, I will move on to bikeways.

[Time: 03:24:11]

Mayor Ortega: Right now Councilwoman Whitehead and Littlefield.

Councilmember Whitehead: Just a quick question, restoring the trolley service on McDowell Mountain to McDowell Mountain Aquatic Center and the library, is that connecting desert mountain high school and mountainside middle school to that library?

Dave Meinhart: Mayor Ortega, Councilwoman Whitehead. Haven't got top that level of detail yet. We did have a route that went further east out towards desert mountain past and we didn't get much ridership but it would be evaluated. Right now we have a trolley route -- I will go back to this slide. Sorry, I went the wrong way. I apologize.

On our trolley routes now, we have one that comes up into the -- into -- I guess it gets above Frank Lloyd Wright but we did -- I think they did experiment for a year or two --

Councilmember Whitehead: Well, it's something worth looking at. I thought I would throw it out there. I heard that it's need because there used to be a library that the two schools the kids could stay in until 6 p.m., but it's gone. I heard that this is a need to get those kids whose

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

parents work or whatever to the other library, Arabian library. That's what I'm hearing, thanks.

Dave Meinhart: Thank you.

Mayor Ortega: Councilwoman Littlefield.

Councilmember Littlefield: Thank you, mayor. I just would like to make a comment about facility that you mentioned here in Scottsdale. At the Thunderbird park and ride. It's very close to where we live and we pass by that corner all the time, and it's always empty. The only time this' ever anything there is if there's a -- there's ever anything there is if there's a bus waiting for its time to leave because there's nobody getting on or off. It's already built. It's already covered.

And maybe that's something we could make use of and consider possibly using for the trolleys or something else. I have never seen anything there. It's just an empty parking lot. Maybe it needs to be advertised more, have more routes that can go through there to different locations. It's fairly central.

And I it's kind of a shame that we have this covered parking lot and there's bus waiting that there's nobody getting on or off. It seems to me that it's a possible opportunity to use imagination and find some real good use for that land.

Dave Meinhart: We agree that that's something that we were looking at how we can make better use of that facility. It did have federal Grants used for its construction. So there's some limits on -- it has to be transit related, but we are continually looking at ways to make that an actual useful facility for transit riders. It's useful. It's just -- it -- we haven't gotten enough -- there's not enough connecting to it right now. So that's something we will be looking at.

[Time: 03:27:30]

Mayor Ortega: Thank you. Continue with the bike element.

Dave Meinhart: Thank you, mayor. We'll move on to our bikeway element. Just a few highlights. We just -- and we have three primary paths in our system. The Indian bend wash path that we call T. Indian bend wash path for most people is thought of as the greenbelt, that connects from Tempe up to roughly Indian bend road, approaching McCormick Ranch, but we see the Indian bend wash, that is continuing -- the path that connects through McCormick Ranch that has been constructed back in the mid- to late '70s and then we have done extensions of that path to where now it connects all the way to WestWorld.

And then the plan is through various projects, actually most of them roadway improvement projects getting that path to our border with Carefree. It will be 25 plus miles when it's completed. So that's one of our primary objectives and, again, most of it will -- of what is left to

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

be built will actually be constructed as part of roadway projects and those also actually -- even though it's a path, it also serves as a sidewalk, which is part of a complete street, which allows us to use the money to pay for 70% of the costs.

So it's -- it's just -- it takes a long time to get it all finished, but we're still working on it, and, again, most of the improvements are incorporated in the roadway design plans as we move forward. As is drainage. Our central Arizona canal path is where we just have a little piece that's bill currently. We did recently get a recommendation through MAG to get grant funding and roughly four years -- three to four years from now, to be able to construct this segment from Scottsdale Road west -- or east, I should say over to north site drive.

That's something that we are very excited to have that recommendation for. And then this pathway system may very well end up actually in some locations, I had showed you my spaghetti bowl, 100th street corridor where we have the ability to reclaim lanes if we so choose. We believe that would be a better alignment instead of putting it -- it has a fence on one side and people's backyard walls on the other side. It limits how many people are interested in using it.

I experience that on the path that follows the west side of the freeway north of Mountain View. That section of Mountain View to Shea where you are enclosed in walls, it's very low usage because of that. So that would be one where potentially we could actually be able to do a road diet on 100th street and be able to leverage federal grant money for a bikeway improvement to do it. That's what my mind thinks anyhow.

[Time: 03:30:48]

Then the Arizona canal path is basically done. We have one short piece immediately north of Camelback Road east of Scottsdale Road where we have some challenges with existing infrastructure, the width of the canal bank and a punch of electric utilities and drainage utilities. We have to put in a temporary connection there within the last year, that -- so at least there's a paved connection in the roughly 700 feet or.

So but we are still hoping to work with the future developer for the vacant land that's left just to the north of Camelback Road on the west side to try to come up with the final missing piece on that. And then within the rest of our community we have many, many, miles of planned paths.

We are proposing changes from the 2016 plan to add 21 miles to the existing system through designating some of our 8-foot wide sidewalks which is the minimum for a shared use path that are side paths that we could mark and sign as a path option. Many times there's already a bike lane on those corridor.

But as we discussed earlier, especially on the arterial railways, there's not a high percentage that want to ride on the bike lane. If I went back through the map again, I could probably come up

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

with another 15 or 20 miles. Maybe we will save that for the next update to the plan. We added 22 miles to the plan network and then we deleted 31 miles from the current plan network, basically due to infeasibility.

The one that I tend to use is a line on the map that was on the west side of where I was just speaking about, Pima freeway, that extends a path from Shea boulevard to the north up to the airpark and then loop all the way around west over to the freeway over to Scottsdale Road and the challenges on that financially in my mind don't warrant us continuing to keep that in what we consider an action plan.

That would -- there's so many grade separations and right-of-way issues that would have to be dealt with that we're creative and we will come up with some other ideas that can help people move around. The net change in our plan system is an increase of about 12 miles. Neighborhood bikeway corridors is a new designation. That is to focus on the off arterial grid.

Typically, there are these bikeways based on their usage and other parts the country. Usually they try to get them within a quarter mile of an arterial because you are looking for a way that people who don't feel comfortable riding on that arterial but want to get to destinations on that arterial.

So you try to find alignments within a quarter mile where you can. We have some that are on the quarter mile. All of these are listed in your packet. And some are listed on the half mile, because that's the only option, especially where you have roads cut off by the Indian bend wash. And also some of things that you are looking for on these corridors are potentially -- you are going to have low traffic volumes for sure, speeds tend to be lower and many streets have traffic calming on them. Others could be considered.

[Time: 03:34:29]

And you often will have ways that you can get from one point to another, on bike or on foot that you can't in a car. An example for me would be the jack rabbit road corridor running in this corridor here. If you are on a bike or on foot, you can cross the Chaparral Park. You can also cross the Arizona canal, which you can't do in a car. You can get there walking or biking, which you can't do by car, which one of the things that and often looked at as where set priorities for the bikeways.

This is the map that we have identified today which, again, any of these bikeways if we move into implementation would be going through a similar public outreach process that we do for capital projects or notification we do. Sometimes some of this might be striping changes our first step and we will be looking at those opportunities. I will pause there before going into trail elements. See if there peace any questions regard -- if there's any questions regarding bikeways.

Mayor Ortega: Thank you. Let's go to the trails.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Dave Meinhart: On the trail network, we have done an extensive analysis. In transportation, we are responsible for the planning and development of trails that are outside of the McDowell Sonoran Preserve. That adds up to 150 miles already with another 140 miles planned based on this plan. We have looked at some locations where there's issues with connectivity, or there's close overlap with another trail alignment, whether it's infeasible to construct because of the terrain in particular, there's a lot of things in the way, we don't have public easements.

We are looking at approximately 48 miles of the plan network being removed, but's one of the areas where we are trying to if he cuss on what is feasible. Trails that already have easements and are being used. We are not looking to take it away. Whether it ends up on the master plan, it may not be the case, but we will not be eliminating anything that's already out there.

[Time: 03:37:09]

Our bigger challenge is keeping the trails that we have open. Many of the neighborhoods, the trail is similar to a sidewalk for those who live in neighborhoods that have sidewalks, and if you live in a neighborhood with a sidewalk, the city is not going to come and trim your trees growing into the sidewalk.

But when it comes to trails, we have a lot of people, we are working on an outreach program. There's some neighborhood responsibilities when it comes to trails as well, just like you would with a sidewalk and other areas. And that was my only trail slide if there were any questions.

Mayor Ortega: Yes, Councilwoman Whitehead.

Councilmember Whitehead: Thank you. You answered one of my questions and you can send me more information. I wanted to make sure we are not giving up any easements because even though there may not be connectivity there, the kids could be playing near the wildlife. You answered that.

And this section, I would like to reinsert the policy that was removed that dictates a path within a half mile of every home so that was pulled out in this plan. And I understand why. So I have some suggested language. So reinsert the policy that dictates a path within a half mile of every home and add the phrase, unless privately owned property or natural terrain make it impractical.

That way, we keep it as a policy because I think that's the basis of the value of the city that we require that. Thanks.

Dave Meinhart: We'll look at that adjustment. Obviously, this document is open for editing before it come back to council for final approval.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Mayor Ortega: The other thing we have from time to time is abandonment of GLO, which are just orthogonal lines in the topography. They don't really relate to the contours of desert. I have seen some improvements with subdivision plans where, you know, we give up those lanes and then have an alternate route through that property. I like the way it's being handled in a compatible way where appropriate, when appropriate. Councilman Littlefield.

Councilmember Littlefield: I would just like to make a comment. I was very happy to see that you were making the canal banks as a trail bicycle path. I have been working with some of the people that have come to me asking about, you know, interest for tourists and things that they can do and most of them never even knew that the canals were the original waterways and they go down to the Indian village in the Salt River. It's a wonderful bike path. It goes where you want to go and then you can come back. I always thought that would be a really good way to use those canal banks and -- but we need to make sure that we have all the permissions we need.

[Time: 03:40:25]

Dave Meinhart: Yeah. SRP and the bureau have been good partners with us today. I must say. Sometimes it takes time to work through, but overall have been very good partnership.

Mayor Ortega: I also believe C.A.P. had some funding for beautification of the canal in the area of WestWorld and I spoke with Terry Yoddert on that. Sometimes when we talk about beautification but, of course if a trail can be stabilized that's what you are really getting, beautification and a pleasant walk.

Dave Meinhart: Yes.

Mayor Ortega: Continue.

Dave Meinhart: A few items on the pedestrian element. One that's near and dear from too many times being out in the sun in the middle of a summer afternoon and wondering why is that big tree shading the street and not me?

So what we are proposing is that we adjust the positioning of our landscape trees on our street corridor on the east-west streets we want to make sure that any landscape trees in the summertime, in the afternoon, you don't get much shade if the tree is between the sidewalk and the street and on the north south streets basically the same thing.

Looking at a slight change in the placement of the vegetation, the shady vegetation, we would still have landscaping between the sidewalks and the trees and the standard cross-sections. We would just make that minor change where the trees go that is providing the shade, which we hope is better for the pedestrians first, as opposed to somebody sitting at the traffic light who has air conditioning. At least they probably do if they are driving in Arizona.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Sidewalk width was mentioned earlier. We are proposing looking at a change up in the -- in our more rural parts of the city. We keep 8 feet as the standard width on one side and in some cases, it's more of a regional east-west, in particular path corridor we're looking at Jomax Road an example of that, that we have 10 feet on one side but we would allow 6 feet on the other side, which is still 3 feet wider than the minimum clearance needed for A.D.A. and it's also the standard that we have on most of our minor arterials today.

[Time: 03:43:27]

So it's not a big change, but, again, we're trying to look at this man from a more realistic perspective of how things will be used and what you need in order to pass people and whatnot. We believe 6 feet on one side is still going to be okay and we will be developing an outline of which side of the street we think makes the most sense for those different corridors. And then we do -- we are recommending a policy where we look at ways to -- it's new developments come in or redevelopments come in to break up these really long perimeter walls so there's more pedestrian access.

I know there's always a challenge with a neighborhoods on privacy or security and those types of things. So we have to work through that but I use this as an example. Shea boulevard, on the top of the photo, 96th street on the west. If you live in the house at the end of this cul-de-sac, and you go out your front door and get to Shea boulevard and 96th street where historically we have us about service going through that section, I think we still do.

If you will walk out and say there was a gap magically between that house and the neighbor to the south, your walking trip is about 400 feet. The reality, if you want to make that trip to catch the bus or if there happen to be a store or restaurant that you want to get to, it's 2200 feet. So that's what some of the things that -- the perception that was developed, again, that we live in a city and in an area that was designed around the car. So this is just another one of those ways to try to maybe balance things out a little bit more over time as things redevelop. There's challenges, I know. I have been in those meetings with neighbors. Crime is going to increase or whatever. I live in a neighborhood where there is walkways going all over our backyards and nobody has ever told me that they wished they didn't move this because of that.

Mayor Ortega: Maybe that's when you need a drainage solution that that can be the short cut.

Dave Meinhart: Yes, it is -- we create these ourselves. And then we wonder why people don't want to walk or go to the -- or use the bus. And then we make it really hard to cross 10 lanes of traffic and turn lanes to get to that us about stop. So there's things that, again, we can't change it all, not looking to.

But we can work a little built more balanced, that's what we are trying to get to. Councilwoman Littlefield mentioned the draft ADA transition plan that identified six specific areas to target initially for improvements primarily to the ramps on the corners.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

And we're working on designs right now for improvements in the Old Town area. We also worked closely with our street operation team. When they do major resurfacing by federal law, they have to get the corner ramps to meet current standards.

A lot of ramps, thousands of ramps have been installed over the last ten years through that program and we have a funding source or our CIP that the council has approved that allows us to keep this program going and trying to eliminate as many of those barriers as we can. Again, a lot of -- we want to look at how we can improve the access to the transit stops.

One the challenges you do have if you decide to change your transit route, well, here, the best place to stop might not be the easiest places to get to, to get to this, to be able to wait for bus. So we have to look at those options as well. Enhanced crossings. This is primarily looking at where would we consider new grade separated crossings. Usually we used tunnels. Could you use bridges as well.

[Time: 03:47:44]

We will be looking primarily at Scottsdale Road, Pima road and Frank Lloyd Wright and Shea boulevard, the most heavily traveled corridors where it's beneficial to separate the bike and the pedestrians from the auto traffic where you can.

And then other opportunities that we have taken advantage of many times like the Indian bend wash if we can leverage a drainage structure to turn that into an underpass, we will continue to look for those opportunities. There aren't as many of them left as there were in the past because so many of our roadway improvements are already done but we will continue to look for options there. Existing bridges.

We are looking at actually an improved underpass at bell road, which in the not too distant future where the extension of Indian bend wash will come forward from WestWorld and obviously working with new development. We start looking at aerial maps and it's amazing how many tunnels have been built by private development on their path systems. That was my last one on pedestrian element if you have any questions, I can jump into the implementation side.

Mayor Ortega: Continue.

Dave Meinhart: This section, while somewhat dry is very near and dear to my heart. You are not just looking at long range kind of maybe fuzzy future. You are trying to look at what you can do. And at the end of the day, it ties in primarily to how much money do you have able to take care of things? And if you have it, what do you spend it on?

So that's what the implementation program is focused on doing. Very briefly, we have got some major funding sources that we leveraged Proposition 400. That's the half cent sales tax that

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

expires in a little over three years. Our .2 transportation tax. That's a permanent sales tax. Up to half of that sales tax under the current fiscal policy can be used towards operations where we have used that has been over time on the trolley service and paving program improvements primarily.

We do receive money that goes almost entirely into our paving program for the highway user revenue fund or gas tax. I do note that the 18-cent per gallon level has not changed since 1990, and that's -- we have been growing but unfortunately from our perspective on revenue, the region has been growing, we have been growing, but vehicles have also been getting much more efficient on the use of fuels and obviously a lot of the push towards electric vehicles, there's no use at all of the gas tax and right now, that is our primary source of funds for repaving our roads. We have the temporary .1% sales tax that expires in 2029. And we do get federal Grants.

[Time: 03:51:19]

We have seven projects currently in the works and three others being recommended. We worked with transportation commission to develop recommended priorities for how to invest our money, number one is taking care of what you got. Second is making sure we are meeting any regulatory requirements. Then the next step is to look at ways to enhance safety, test new concepts and technology, and I mentioned this transit service level of service, and then we work down into developing capital projects with outside funding and leveraging other folks' money, funded by projects entirely funded by the city.

When we are look at available cash, that's how we would be looking with how we would be utilizing those funds. We have talked already about Proposition 400 extension. Number of projects and some transit service is part of that. And I think as Mr. McLaren mentioned before, if that project moves forward, MAG looks for matching money on the roadway projects. We need to find a source of funds to do that.

It could be the extension of the temporary sales tax or a bond or something of that nature. On the public input that we received over time, I will focus on the three highlighted in green because they tie into the thought process that we had for this plan. We did do an online questionnaire and received 200 plus responses.

And the three categories of improving infrastructure over building new infrastructure, we had significantly more agrees than disagrees, a little bit more and I'm not sure which, on whether we should be doing more for pedestrian and multi-safety in multimodal travel. A pretty strong level of agreement there and we also had a strong level of agreement that it's not such a bad thing to take away the capacity for the cars if they didn't really need it.

I found it most interesting that one of the very few people who responded were ambivalent, it was either yes or no. We also asked for feedback on how would you spend your transportation

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

money from an individual resident's perspective or business' perspective. And we broke that out to different parts of town to see if there was any real variation. Didn't really see much. Little heavier support on the non-motor needs in the Old Town area as opposed to up north.

Overall, if you look at the averages, very consistent and kind of the takeaway is that residents responded think that we should be investing roughly 70% of our funds and things other than moving automobiles more easily. Right now it's about the opposite. It's about 30% on the non-out toe and about 70% on the auto and much of that because of the makeup of the MAG program.

[Time: 03:54:29]

With regard to written comments received during the questionnaire stage and then we also did a virtual open house. We didn't get a lot of written comments. The one topic we heard from a little bit earlier, 128th street, where McDowell Sonoran Preserve. I had a conversation with an individual who sent a letter that did not come in during the open house period, but she and a few of her neighbors up in Troon Ridge, they would like to see 128th street stay as a future project in the city's plans.

We do have a little more detail on 128th street as far as -- you heard from the preserve commissioner already what their recommendation is, is to change the area in orange to an emergency corridor. We have 128th street from Rio Verde Drive down to the Jomax alignment and then from Ranch Gate Road to what is the old Happy Valley alignment.

You probably already know this background much better than I do. So I won't go into the history, but it was that history that led us to make a recommendation from a transportation perspective, our transportation commission that we would maintain 128th street corridor the full length from where it currently is dirt, north of ranch gate road north of Rio Verde Road, but we proposed that we not program funds for it over the next five it ten years. And we have reached the end of my presentation.

Mayor Ortega: Thank you. Councilmember Whitehead and then Councilmember Durham.

Councilmember Whitehead: So thank you very much for that presentation. So want to reiterate my three requests. The first one is I understand transportation likes things connecting. That road alignment predates the preserve. That's when we were going to build 30,000 acres worth of houses.

So I guess I would like to ask for some consensus that we -- because every time I think I'm getting there, it just pops back. It's just this -- yes, it just kind of keeps coming on back. I would like to get some consensus on the need to protect this wildlife corridor as it was designated in the early days as we planned for this preserve. And make the 128th alignment an emergency access road only. I do have consensus on this council for that? I know this is a work

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

study, but I think staff needs to know.

Mayor Ortega: Are we okay with that?

Councilwoman Milhaven: No.

Councilwoman Littlefield: Yes.

Mayor Ortega: Two no and five yes.

Councilmember Whitehead: Okay. So we have consensus there. After three years we are making some progress, great! Then the other -- I do like --

Mayor Ortega: Let me also clarify because I understand that there is some construction area affected for a period of time. And just want to clarify that too for the public's information. Can our city manager do that for us, please?

[Time: 03:57:58]

City Manager Thompson: Thank you, Mr. Mayor. Yes, that's correct. There is construction use that's occurring on it currently for story rock. Obviously, we can redirect that over to the other roads that. It's part of the agreement, but there's no obligation for us to continue to enforce that against them.

We could relieve them of that responsibility and allow them to use Happy Valley Road, which would be their other option at this time. If you wish to do it sooner than later but certainly we can get into the depths of that, the legal issues surrounding it and so forth at the study session but you can make that change now if you desire there.

May be a time where we so note that it's going to be emergency access only in the future. And tip a time frame associated with that because there was a lot of discussion about 6, 7 years ago when this came forward, prior to my arrival, but I had to engage in some of those discussions upon that which is just over five years ago, associated with story rock and the construction with the residents in Troon, Troon North, those along the Happy Valley corridor that they had a desire to put the construction traffic on 128th and so that is in the development agreement with 128th but, again, we can close it down then and allow them to use the errs.

One the questions that came -- the others. One of the questions that came up is the completion of the 118th. When that's done. It may be a good time to close down 128th. Not to get into the depth of that discussion, we can prepare for that accordingly for the study session if we are going to add an item just on this, we could bring up the sections in the agreement with story rock and bring up the history of it and have that discussion at that time. Yes, there is right now a requirement of story rock to use that for construction traffic. And we could obviously remove that requirement on story rock.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Councilmember Whitehead: Thank you, Jim. This is -- the only purpose of this road was that 118th was not built. It was a temporary measure. 118th street, perhaps there's some additional things that need to be done, but it's built. It's a road with cars on it, and bikes and sometimes bike lanes. Not always.

I want to stress that the only purpose of 128th is to allow Scottsdale taxpayers to fund a very expensive road that would enable high density development, mostly in the unincorporated area. So this is a road -- I feel very strongly and I'm really grateful to my council majority here for -- and City Manager Thompson's response that this can be designated emergency only, especially now that 118th is absolutely a workable road. I want to talk about the path within a half mile of every home and I just want to see if any council agrees that this is a good policy, unless privately owned property or natural train make it impractical. Perhaps we can start with Councilmember Durham and see if there's consensus there.

[Time: 04:01:33]

Mayor Ortega: Personally, I would like to study that a little bit more. I don't know what the ramification is. Just personally, I'm hearing it and I think that's good. We are just at a draft stage. So I would like to see --

Councilmember Whitehead: I want to see if there's consensus for putting it back in and having further discussion.

[Off microphone comments]

Councilmember Littlefield: Putting what back where?

Councilmember Whitehead: So we always had a policy or for a long time we had a policy that requires paths to people can walk from houses and the argument is to remove that requirement or to remove that policy, because some gated communities make it almost impossible for us to dictate that. So rather than remove the policy, I would rather add an exception that enables staff to make the exception, whether it's no longer -- when it's simply not practical or we don't have jurisdiction.

Councilmember Littlefield: It sounds reasonable.

Councilmember Janik: Yeah, seems reasonable.

Councilmember Whitehead: Okay. That was not my idea. I love the idea of the white roads looking at that because just go near those roads you are dying of heat. I don't know if there's consensus on that.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Mayor Ortega: At this point, we will be looking at the draft and it would have to be followed through with some sort of ordinance to allow staff to have some leeway. I don't know how that exception could work, except if it were empowered in an ordinance. City manager and then city attorney.

City Manager Thompson: Mr. Mayor, we can bring that back as well, and many changes based on that and have further discussion to make sure that we do it correctly and address the direction of council so we can bring back a draft associated with that. And then it would need to be eventually -- it will be our actionable item to approve the action plan. So inclusive of that, we will bring back those as part of it. Thank you.

Mayor Ortega: And, again, this is why we have good healthy input and that's why Councilwoman Whitehead is listening to that. Did you have anything else? I will move to Councilwoman Littlefield and then Milhaven.

Councilmember Whitehead: I'm done. Thank you.

Mayor Ortega: Councilwoman Littlefield and then Councilwoman Milhaven.

[Time: 04:04:18]

Councilmember Littlefield: Yes. I just wanted to make sure you knew Mr. City manager, that I'm very strongly in favor of keeping 128th street locked and for private use only. That is the connection right through the connection of our preserve. I'm very much afraid if we make that a minor collector street, that it will cause basically huge damage to our preserve and to the animals that live in it.

That's why weed our citizens for the money to build the preserve in the first place, to maintain the plants and the animals. I think that's a huge part of our main objective to have the preserve. I would, very much, keep 128th street locked except for emergency traffic and if we have a huge fire or police need or something hike that, that that's one thing, but otherwise, it should not be a normal street for everyday use.

And I know I was actually talking to a city attorney today at some length regarding this issue and so it's surprising it's coming back so quickly here. But that's my feel on it, as far as story rock is concerned, that's something I would likely -- I would like the city manager and city attorney to talk about using that street or not.

As Councilwoman Whitehead said, the original reason for using 128th street was because 118th street does not go through. It was short. Now it's something we might want to take a look at and see.

Mayor Ortega: Councilwoman Milhaven.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

Councilmember Milhaven: I promise to be very brief. On 128th street, I would really like to understand the issue the biodiversity of the preserve. The McDowell Mountain Regional Park, the entire western edge of that park abuts our preserve west of that section of 128th street. So I would like to understand better how that road has any impact on the biodiversity of the southern part of our preserve.

Second, I was on council when we did this before and the folks at Troon were very upset about construction traffic going through. And I have heard from many of them again to say, why is this coming back? And I have to explain every council can reevaluate. This is the council's opportunity to do that but there are still folks at Troon who are very concerned about closing this street. Excuse me. I think the compromise, because we have got to balance citizens with critters. And I would even sometimes citizens take priority over critters.

[Time: 04:07:16]

In the transportation commission recommended leave the current category but don't put in any money in it, we are not going to approve it or spend anything, it won't be any worse than it is now, and I think that's a nice compromise went the critters and the people. I went and drove that road again recently, when I knew this was coming up, and if I were not a city councilmember wanting to check out the contention of that road, I would have turned around. It's not possible.

There's a culvert that goes -- the road is elevated and there's a culvert that goes under in. That's 5 or 6 feet in diameter and it seems to me if we have an issue you with critters crossing a street, that's a perfect place for them to do that. At this point I think the transportation commission's recommendation is a good compromise and I would like to understand how leaving that road compromises our preserve. So thank you.

Mayor Ortega: Okay. Councilwoman Whitehead and then I will get my –

Councilmember Whitehead: I will refer Councilwoman Milhaven to two decades of reports to the preserve commission and the recent letter from the preserve -- the current preserve commission and I will also say that this is not a road that's free. And when we built the preserve, we built the preserve forever, not for five years. And it's great that animals can go from the park to the southern part, but a true preserve, true wildlife habitat requires connectivity, far larger than just the park in the southern half.

So this is something that wild life biologists, decades' worth of consideration and studies have come up to the conclusion that this will be the wildlife corridor. We did not we did not acquire the land at the time when we were acquiring land that was state owned or privately owned because we knew the intent. The intent was no longer would this be a road. This would be a wildlife corridor because we just preserve or we were in the process of preserving 30,000 acres.

**FEBRUARY 22, 2022 REGULAR COUNCIL MEETING AND WORK STUDY SESSION
CLOSED CAPTION TRANSCRIPT**

And we didn't expect that the city would not recognize the time and effort and expertise that went into preserving this. So we didn't expect a future council to approve such incredibly high density developments in this very fragile area and then justify building a very expensive road with Scottsdale tax dollars in order to accommodate development that our community frankly never wanted. So this is our opportunity. Story rock is there. It's approved. It will be a nice community. It was not fitting for what people wanted.

I get complaints about that every week but I'm grateful that this council is honoring the voters, honoring the wildlife corridor. I think all of us are getting tired. So thank you and -- but I would refer you and I will gladly send you the letter, the most recent letter on the subject. Thanks.

[Time: 04:10:34]

Mayor Ortega: Well, my final comment is that we did have the former chair of the McDowell Sonoran commission speak and we discussed the topic of an eco crossing, whether it's a bridge or a tunnel at dynamite or Rio Verde, where there will be some casualties and so forth and it's, I believe, our council gave direction to try to hold it together and when we have the preserve bisected by the, you know, east-west major thoroughfare, that that direction would hold also for any, you know, major traffic caused by 128th.

So no way would the city give up that right-of-way, we have the right-of-way at 128th. That's a consensus and I also concur that we will have to look at the particulars and juggle how and where 118th might be expanded or whether there is going to be a possible -- again, most roads run with drainage solutions.

So I'm hopeful that -- I need to learn more myself and I think that's the goal will be to make sure that that's coordinated. In the old days, we cared about dust, right, dust control and all of those areas, and also the contractor presently is limited to daylight hours for construction, which someone points out, you know, animals are mostly nocturnal and crossing but we want to -- you have our direction on that.

With that, I think we're completely -- oh, excuse me? Yeah, there's no one else that wanted to speak. But at that point, we thank you very much for all the work and continue with some of the ideas that we have expressed tonight. So accordingly, I will request a motion and a second to adjourn the city council work study session. And please record your vote. Do I have a motion?

Councilmember Janik: So moved.

Mayor Ortega: Thank you.

Councilmember Durham: Second.

Councilmember Whitehead: Second.

Mayor Ortega: And a second by Councilwoman Solange Whitehead. Please record your vote. It's unanimous. We are adjourned. Thank you so much.